

ALEXANDER WERTH CLAUDE BOURDET

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**JAIL NOTES
OF A YOUNG VIETNAMESE**
NGUYEN VAN MINH

Preventive Detention
HARRY SUBIN

GROCERIES, GAS & GAMES JENNIFER CROSS

ROBERT SKLAR / ***Chomsky's Mandarins***
LEE LOCKWOOD / ***Trips To Hanoi***
JOAN SIMON / ***Thich Nhat Hanh's Poetry***

LETTERS

Limits of feminism

Huntington Woods, Mich.

DEAR SIR: In "The New Feminists" [*The Nation*, Feb. 24] Miss Freeman's analogy between women and blacks seems to me to break down in a crucial area. Women are integrated with men not only on a far greater scale than blacks with whites but in much more intimate ways. . . . Self-determination for a group is viable only to the extent that that group is willing and able to endure or enjoy an accompanying amount of segregation. Unless women are willing to forsake the bearing of children and become Lesbians, they are necessarily involved with men deeply and daily. Black people can, if they wish, fulfill these basic needs without whites, dealing with their oppressors in a hard-line, business-like fashion. Even acknowledging the extreme language of my examples, women cannot approach such a relation to men, nor would most wish to do so. . . .

Sexual discrimination does resemble racial bias in meaningful ways, but the differences, I believe, affect tactics and expectations. Most minority groups have nothing to lose but their chains, but women have been granted some small favors, like immunity from the draft, which make some men downright jealous. Many women have something to learn about the burdens of equality that come with the benefits. Negroes have been burdened and unequal almost without exception. . . .

I mean none of the above as criticism of the new feminist groups. They are beginning a difficult task with my support. . . .

Donna Brook

Syracuse, N.Y.

DEAR SIR: Jo Freeman concludes her article, "The New Feminists," with: "the women's liberation movement has begun to question whether what we define as feminine and masculine has anything to do with being female or male."

One might go a step further and question whether what is defined as feminine has anything to do with being a functioning person. . . .

In addition to the very real problems of earning only 60c on the dollar that men earn for the same work (U.S. Department of Labor statistics); being counseled out of graduate school and squeezed out of the high status professions; being unable to get abortions on demand; having to suffer the indignity of being omitted from significant sections of federal and state civil rights laws, women must face the most insidious problem of all—their image—perpetuated by the Establishment, the old Left, and the New.

The January 29, 1945 issue of *Life* contained the following statement: "Of all the social revolutions now abroad in the world, that of the [American] woman is the least dynamic, the least predictable, the most aimless and divided—in short the most feminine."

Happily, as Miss Freeman points out, the feminists are now neither aimless nor divided, and we certainly are dynamic. . . .

Karen DeCrow, National Membership Chairman
National Organization for Women (NOW)

Okinawa dry run

Philadelphia, Pa.

DEAR SIR: I've just finished Albert Axelbank's "Short Fuse in Japan" [*The Nation*, Feb. 3]. During a visit to Japan in January of this year, it became evident in interviews with university presidents that the *Kidotai* (Riot Police) are indeed using present-day student troubles for dry-run training

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EDITORIALS

The Key Issue

The title of a report of the Committee for an Effective Congress foreshadows a main preoccupation of this session: "Collision in Congress: Military Demands vs. Civilian Needs." The guns-vs.-butter issue has been brushed under the rug so often that many observers have assumed it would never be found anywhere else. But now it is likely to come out in the open and be the big issue in the 1970 Congressional elections.

Of course guns vs. butter is a misleading simplification under the present circumstances; it might better be termed a where-is-the-country-headed issue. Do the military exist for the people, or do the people exist for the military? In the Senate a growing preference for the former order of priority is taking shape as anti-Pentagon sentiment. It is not restricted to the ABM argument and will not be quieted, however that issue is resolved. And it has begun to spread to the House, where appropriations must originate.

Many Representatives and Senators are contributing to the tardy uprising, but the country should be especially grateful to Senator Proxmire for speaking as he did recently. He told the Senate that the time has come for imposing curbs on the "military-industrial complex," which has "written its own budgetary ticket" for far too long. Since World War II, he pointed out, "with respect to contracts for weapon systems, nothing was too good for the military." The Congress has reacted almost by reflex to military demands for funds. Now thought is beginning to assume control over automatism.

The factors underlying the disillusionment with the Pentagon are as cogent as they are numerous. Vietnam leads off, and with it a growing doubt about the wisdom of Pentagon decision making, even at the purely military level. The *Pueblo* fiasco and what it reveals of military incompetence and confused, self-stultifying procedures comes next. Incidents such as the dominant role of Maj. Gen. David A. Burchinal in the negotiations for renewal of the leases on bases in Spain have inspired alarm and resentment, both within the government and among the citizens who remain ignorant of what is going on until a story like this breaks. Again, there is the cavalier attitude of the military toward the desertion rate, and toward the growing resistance to the draft. The crackdown on the so-called mutineers in San Francisco is seen as a maladroit attempt to stifle rank-and-file GI thinking, and as a symptom of gross insensitivity to what is happening in the minds of draftees.

What makes the conflict irrepressible is the urgency of many social problems. The needs are felt high up, and even more intensely at the grass roots. *Time*, reporting on an anti-ABM meeting in Lexington, Mass., quotes City Councilman Tom Atkins:

"You talk of megatons. We are interested in snow removal. You talk of penetration aids. What we want is housing. You talk of nuclear sufficiency. I say there is

massive insufficiency as far as our domestic sanity is concerned."

One of the new Senators, Thomas Eagleton (D., Mo.) adds this observation: "It will take nothing short of a national act of will to shift a meaningful share of our resources from warmaking to peace building . . . at home and in the world."

Senator Proxmire has fired the opening gun in what will be a long and bitter battle.

How Decisions Are Made

The March 4 demonstration of research scientists against governmental misuse of science was reasonably successful. Some fifty meetings involving as many as 50,000 people were held, and deep dissatisfaction was voiced with current decision-making processes and neglect of fitting priorities. But the mood in the enlightened section of the scientific community remains gloomy. In the crucial matter of the Sentinel anti-ballistic missile, the scientists see that the decision is not being made by scientists, and that the country may account itself fortunate if the most authoritative of them manage to get a meaningful hearing. At a Senate subcommittee session skillfully conducted by Senator Fulbright, three former mainstays of the Defense Department—Drs. James R. Killian, Jr., George B. Kistiakowsky and Herbert F. York—testified convincingly that deployment of the Sentinel system would serve only to endanger the nation's security. Arrangements were made for direct transmittal of their views to the White House, and they were received by Dr. Kissinger. This was better than nothing, but the President should realize that these three eminent scientist-engineers could give him more valid information than Secretary of Defense Laird, even with the aid of his capable deputy, David Packard, could possibly furnish.

The question is, however: does the President want a scientific prognosis? Or is that the last thing that is desired in such situations? A study of the decision-making process at high levels of government, insofar as such a study is possible, leaves the answer in doubt.

Normally, even in a democracy, important decisions are arrived at behind a curtain almost as impenetrable as that which shields the governing bodies of a totalitarian state. The press is free to conjecture, sometimes shrewdly, and to exploit such leakage of news as may come its way, but it is not privy to the inner mechanics of government at the top. On occasion, however, the press and the interested public are fortunate enough to get windfalls of information which reveal how decisions are made. Some recent examples:

(1) Two pieces by a group of writers in *The New York Times* (March 6 and 7) on the March 1968 "turnaround" in the Vietnamese War, and similar stories elsewhere, including one by Charles Roberts in *Newsweek*. These fall into the general category of "now it can be told," and the writers are usually assisted by ex-officials desirous of justifying their actions in office. From the *Times* pieces we learn that foreign policy is hammered out, dint by dint, by negotiation rather than agreement on what is best for

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the country, through a tortuous process of internal confrontations, conspiratorial maneuverings, bureaucratic infighting, compromises between individual and group interests, and similar factors. We also learn—it runs as a theme through these two long pieces—that, say what you will, political prospects play a significant part. McCarthy's victory in New Hampshire, Robert Kennedy's entry into the Presidential race, the pendency of the Wisconsin primary on April 2, all had a very definite bearing on the decision finally disclosed in Lyndon B. Johnson's television address of March 31.

(2) From Joseph C. Harsch's "Lesson from Vietnam" (*Christian Science Monitor*, February 25) we learn that (in Harsch's well-supported opinion) if Dean Rusk had taken the advice of his professional foreign-policy experts, he would never have embarked on the war policy which he defended with such tortuous logic for so long a time. Harsch asked several of these experts why Mr. Rusk seemed so sure that his department was behind him. One said, "He never asked us." Another: "He carried the war around in his pocket. He didn't talk about it with the rest of us." Wasn't he interested in anyone else's views? Was he so conceited that he thought he knew it all? Or did he think that decisions are best arrived at with no exposure of conclusions to outside facts or arguments?

(3) From Robert Kennedy's *Thirteen Days* we learn the following: (a) The President of the United States had instructed the Secretary of State to remove obsolete missiles from sites in Turkey and was grievously embarrassed in the negotiations over the installation of Soviet missiles in Cuba when Khrushchev demanded the removal of the weapons in Turkey, long after Mr. Rusk should have disposed of them. As Robert Kennedy puts it: "The President believed he was President and that, his wishes being made clear, they would be followed out and the missiles removed." The outsider must wonder how often such incidents of willful disobedience or procrastination occur, and what disastrous consequences might result.

(b) We learn that at critical policy sessions during the missile crisis, Dean Rusk was too busy to attend, or didn't want to get involved. It is hard to say which reason should be considered more culpable.

(c) The crisis came to a head in October. The Congressional elections were in November. The politics of the situation was not mentioned in the discussions, because everyone quite clearly understood that this proximity was a factor in the situation.

The implication of these and other revelations of the same general type is that policy decisions are not based upon suggestions and analyses by those closest to the facts, whose advice if carried to the top will there help to formulate policy. On the contrary, conclusions are reached at the top, sometimes intelligently, sometimes in wild disregard of the facts. Further, internal pressures and politics, often both internal and external, have more to do with decision making than the merits of the issues.

None of this is new; all of it could have been assumed. But it should add to the concern and uneasiness of the people, the press and the Congress. When great power becomes detached from effective popular controls, authoritarian decision making becomes the rule.

Case Not Closed

Last week we expressed doubt that the verdict in the Shaw trial in New Orleans would appreciably dampen enthusiasm for "conspiracy" theories about the assassination of President Kennedy. Now the decision to accept a plea of guilty in the James Earl Ray trial, and his swift dispatch to the Tennessee State Prison, will no doubt have the effect of stimulating "conspiracy" theories about Dr. King (or President Kennedy, for that matter); the *York Times*—"a shocking breach of faith with the American people"—is merely one sign pointing in this direction. It may well be that a conspiracy existed to assassinate Dr. King (or President Kennedy, for that matter); the William Bradford Huie articles strongly suggest the possibility, although Mr. Huie says that he could not come up with a shred of actual evidence that a conspiracy existed. But whether or not such a plot is one day uncovered, it does not follow that there was a conspiracy in the Memphis courtroom to foreclose presentation of evidence that might have pointed in that direction.

Why, then, did the prosecutor and Judge Battle decide to accept Ray's plea? For one thing, prosecutors are always eager to secure convictions, and in this case, while the evidence against Ray was strong (as his plea confirms), still there was no eye witness to the murder. In the case of the Sirhan trial, the defendant was wrestled to the floor with the murder weapon in his hand, and the crime itself was witnessed by a number of persons, including some well-known public figures. In Memphis, the prosecutor might have had some anxiety—not so much about being able to secure a conviction, as the risk that some untoward happening in the courtroom might have provided ground for a new trial or an appeal. Acceptance of the guilty plea precludes the possibility of an appeal.

The prime reason for accepting Ray's plea, however, must have been local pressure from the "establishment" to close the case out with as little publicity as possible. Memphis did not want to be tagged as another Dallas. Battle indicated vivid awareness of the city's image problem as "a decaying river town." As it turned out, a public trial might have left a smaller cloud of doubt than now exists; in part but only in part, because of Ray's statement in open court that he did not agree with what some law-enforcement officials had said about the case.

But what would have happened if Ray's guilty plea had been rejected? The prosecution would not have attempted to prove a conspiracy. Ray would not have taken the stand. One may assume that he would have been convicted, but it is doubtful that the inquiry would have ranged much beyond his own guilt. So the notion that there was some conscious "cover up" of evidence of a conspiracy is not justified by the facts of which the public has knowledge. But Ray's plea does not preclude a conspiracy indictment if evidence to sustain it is unearthed. The Department of Justice is continuing its investigation. The staff of Senator Eastland's committee has been directed to inquire into the facts (here the auspices do not inspire confidence). Of more significance is

the NAACP's announcement that it has legal evidence of a conspiracy "high above the speculation level" and may conduct its own investigation. So it is still possible that the existence of a conspiracy will be established.

As a side comment, it is worth noting that many Americans, perhaps a majority, apparently feel a need to believe that the three assassinations which have so shocked the nation—President Kennedy, Dr. King and Senator Kennedy—were plotted by extremists of the Right and the Left (the Right suspects the Left, the Left suspects the Right)—for political ends. The thought that any of these killings might have been the work of "loners" creates intolerable tensions, for it is a disturbing indication of the level of irrationality and violence in this increasingly irrational and violence-prone society. It implies that out across the country there are still men (and women) so oppressed by fear and hatred and resentment—so desperate for any kind of public recognition—that without much else in the way of a motive they are quite capable of murdering prominent Americans for the satisfaction it gives them and the notoriety it brings.

Cash and Cocoa

All wars are depressing, once the initial euphoria wears off and the casualty lists begin to mount. But the most depressing, and often the most savage, are those between one-time neighbors and fellow countrymen, caught up in a cycle of fear and hatred. The resulting barbarities fall most heavily on civilians and, among civilians, most cruelly on children.

But if this sort of conflict is especially revolting, what is to be said of the conduct of "great powers," uninvolved in the tribal hatreds and nationalistic passion of an inchoate African country, who fish in such bloody waters for gain and advantage? Specifically, what is to be said of the Soviet Union, engaged in selling the Nigerian Government modern weapons for use against the secessionist Biafrans? In return, the Soviets say they are getting "cash and cocoa" under a \$140 million economic agreement covering Moskvitch automobiles, patrol boats, large quantities of bombs and ammunition, MIG-17s and Ilyushin-28 bombers. The British have been supplying the Nigerians from the start and also have something to answer for, but they had an inherited responsibility of sorts and a huge investment, and neither they nor the United States were willing to supply Nigeria with military aircraft for use against the rebels.

That these Russian-made aircraft are being used for almost daily bombings of Biafran villages is no longer in doubt. Maj. Gen. Yakubu Gowon, who heads the Nigerian military regime, is probably telling the truth when he says that he has issued strict orders to his air force not to strike civilian targets. But General Gowon's disclaimer really means very little. The Ilyushin-28s are on loan from the United Arab Republic and, although it is denied in Lagos, evidence collected by foreign observers indicates that they are flown by Egyptian pilots. According to R. W. Apple in a March 6 *New York Times* report from Lagos, these fliers are "extraordinarily inept." Apple suspects that they

are disregarding Gowon's orders and dropping bombs more or less at random, so that they can come back with empty racks and say they have completed their missions. Even when they try to bomb a military target, from want of experience, air-ground liaison, reconnaissance, debriefing, etc., they are as likely to drop their loads on hospitals, market places and residential areas. Front-line troops are safe by comparison.

The effect of civilian casualties is to strengthen the Biafran cause rather than to weaken it. According to informed British opinion, there is no chance of ending the war on Nigerian terms. The Nigerians insist on "one Nigeria" and refuse to negotiate on any other basis. But whatever blame attaches to them—and it is not slight—the most depressing commentary on the situation is the collapse of anything remotely resembling international morality. No one expects great powers to behave like plaster saints; it is well understood that they are "great" only in throwing their weight around. But there are levels of evildoing, and one would think that with almost instantaneous world communications and the gradual formation of international opinion, they would at least shun the lowest depths.

The High-Rent Bohemians

From San Francisco, the mother of movements, comes startling intelligence in the form of two *Chronicle* articles by Michael Grieg. Haight-Ashbury has devoured its flower children, and the tourists eager to see a beat poet must go to North Beach. For the more or less permanent residents, there is the disadvantage of high rents—\$150 for three dinky rooms. "It's one way the uptight Chinese and Italian landlords have found to keep out the Haight riff-raff," a coffeehouse sociologist explains. "They saw what happened there and they don't want any of it here."

What is interesting is that the new beats don't want it either. They have wearied of the "speed" world and crave a bit of tranquillity. As one of them puts it, "We want to keep it [North Beach] free and easy and not messed up. We want it free from police heat, too." Haight had become a resort of pot mobsters and motorcycle gangsters. The sensible kids and elders (the ban on over-30 is gone or going) have abandoned it for a bit of security and maybe a more integrated individuality. This does not mean that they are turning back to conventionality; they are as nonconformist as ever, and possibly in a more effective way. There are writers in the North Beach colony who actually write.

Beware the television tube, is the lesson. The cameras are trained on the colorful people, the mass magazines and the newsweeklies pick it up, and a new style is born. Suddenly X is a national character, known and imitated from coast to coast. But the glamour doesn't last. Publicity attracts types with whom a decent dissident wouldn't be found dead—and there's a fair chance of that too. So there is an exodus to a new locale, and with it a new mutation which, if it borrows a bit from the bourgeoisie, is none the worse for it.

Alexander Werth

CLAUDE BOURDET

Mr. Bourdet was the founder and until 1962 the publisher of *France Observateur*. He has been a member of the Paris City Council, is foreign editor of *Témoignage Chrétien*, and a contributor to *Le Monde* and other publications.

So Alec Werth is dead. It is such a short time since I saw him last, his tall, amiable figure lunging toward me, slightly bent, weighing on the cane he used nowadays, a diminutive French beret crowning his head (a kind of affectionate gesture, so few Frenchmen wear them now) and looking unmistakably British. That was a month ago, or less, maybe at some North Vietnamese reception in Paris, I don't remember. And now there is no Alexander Werth; only a lot of books, happily, which speak out for him and will continue to do so for many years to come. A whole shelf in my own library in Paris is full of them—about Russia, about France, about the prewar days and the rise of fascism, about the war, about what happened since. They are matter of fact, scholarly books, with hundreds of quotations and long indexes, but with a kind of humor and often with the vigor that marked him as a true journalist and a militant one.

I think Werth had in him a rare combination of qualities for a political writer. He was well informed, generally balanced in his judgments; at the same time he was utterly devoid of the kind of indifferent cynicism which so many people mistake for objectivity. As a man, he was passionate and kind. As a writer, he was passionate and cautious. He wanted the Left, and progress in general, to win; he hated conformism and conservatism. But he seldom mistook his hopes for realities.

Werth was half Russian, his mother was English; he was born in Russia and lived there till he was 16. He left for England with his father during the Revolution, in 1917. He began his journalistic career in Glasgow and later was mostly stationed in France, traveling, however, all over Europe. He was a frightened spectator of the growth of the Third Reich and was still in Paris when the German troops arrived in June, 1940. In 1941, he returned to Russia as a war correspondent with what was, I believe, the first allied convoy over the northern route, chased by German submarines to Murmansk. He lived through the war with the Russians, reporting for the *London Times*, the *Manchester Guardian*, the *B.B.C.* and *The New York Times*, and stayed through Stalin's first postwar purges. Then Werth came back to Paris as a correspondent for the *New Statesman* and for *The Nation*.

Werth understood Russia better than any living Western journalist. He spoke the language perfectly, he loved the country, but he was not easily deceived. That is probably why the Stalinist bureaucrats disliked him intensely, at the very time when they fawned on more gullible Western bourgeois writers. He had many difficulties in getting a visa to the USSR in the early fifties. However, he consistently refused to take the moralistic anti-Soviet postures so favored at the time by many experts of the Western Left. He even refused to paint Stalin one-sidedly as a

grotesque, barbarous tyrant, although he described with much inside knowledge the insane machinery of Stalinism. In short, he refused to oversimplify and tried rather to explain this land of extremes and contradictions, Russia, his first homeland.

Werth was bitterly and sometimes offensively angry about all kinds of anti-Soviet humbug. He tended, of course, with his intimate knowledge and love of Russia to expect positive changes, even when Stalinism was at its worst. History has proved him right, up to a point, although there have been setbacks such as Hungary 1956, and Czechoslovakia 1968. Today, anyhow, nobody except the John Birchers and their kind peddles the black-and-white, saint-and-devil, image of the world that was current in the fifties. But the pious liberals of that time often considered Werth "partial," and the London *New Statesman*, in the course of its evolution from militant socialism to respectability inside the British Labour establishment, dropped him as their Paris correspondent. It will remain the honor of *The Nation* that he continued to be correspondent of this weekly in Paris all through that difficult period.

Alexander Werth's books about the USSR, *Moscow War Diary* (1942), *Leningrad* (1944), *The Year of Stalingrad* (1947), *Russia at War* (1964) were and will remain, especially the last, fundamental. But his books on France, prewar and postwar, are also extremely well documented and useful, although the matter, French politics, is of course not so thrilling. In one of them he used a large number of quotations from my articles in the daily *Combat* and I was much amused at the time by his skill at finding and preserving the essential sentence or sentences in a long article. This gift is not the most evidently brilliant part of a journalist's and political writer's talent. It is seldom noticed by people who are not "in the trade," but it denotes an acuteness of mind and at the same time a kind of simple modesty, an awareness and understanding of the other fellow's way of putting things, which were indeed manifest in all Werth's behavior.

This very British Russian had made his home in France. He lived in a high-ceilinged, old-fashioned flat near Les Halles, full of books and objects and shadows, exactly as one would picture the house of an English don in some British university. He was in fact a Fellow of Manchester University for some time. He liked the people there, but was not so fond of the city, and spent most of his time in France preparing his lectures and writing his books. He also had a house at Le Bugue in the Dordogne, near Bordeaux, where the villagers and peasants knew him well and loved him. What one could say most accurately about Werth is that he bred understanding and friendship all his life. Between people. And between nations.

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Jail Notes of a Young Vietnamese

NGUYEN VAN MINH

David Marr, who translated this article and who contributes the introductory paragraphs immediately below, is a lecturer in history at the University of California and a specialist on the modern history of Vietnam. He is at present completing Vietnam's Anti-Colonial Movement for the University of California Press.

Considering how long and how bitterly America has been involved in Vietnam, we Americans know abysmally little about the attitudes of the Vietnamese people as regards the war, the presence of U.S. troops, communism, political freedoms, and the like. In part this is because, amidst all the front-line journalism, all the official communiqués, "fact-finding" tours and political speech making, not much has really reached us from the mouths and pens of the Vietnamese themselves.

Nguyen Van Minh is the pen name of a relatively well-known Vietnamese student leader, most active in urban politics from the 1963 overthrow of Ngo Dinh Diem to the crushing by Nguyen Cao Ky of the Buddhist struggle in 1966. As such, he represents only one Vietnamese viewpoint among many. More important for us, he recognizes this limitation and, in contrast to many or most of his upper- and middle-class urban associates, does not pretend to speak for all the (allegedly) silent peasants, pedicab drivers and street beggars of his tormented country.

Nguyen Van Minh's time of decision occurred while sitting in a whole series of jails, set up by the Saigon administration and their American "adviser mandarins" (as Minh wryly labels them). Along with him, hundreds of university and high school students, perhaps as many as a thousand, found themselves imprisoned in the months of May and June, 1966. Quite aside from our interest in contemporary Vietnamese political attitudes, there may be a hidden lesson in Nguyen Van Minh's story. Here in America, as more and more young, politically active men and women for one reason or another find themselves in jail, may there be for them also a joining together under stress, a sharing of tribulations, a psychological confrontation with themselves? Will the process of "identifying the enemy" be similar to that of Minh, not to mention the results?

I am one of a group of young people from the cities of South Vietnam recently released from jail, in preparation for military induction. Like others in my group I am now in the process of taking a definite position in this bloody conflict. Here I simply wish to give you—as perhaps people of about my age, or sharing similar sentiments and problems—a feeling of the critical position I see myself to be in. Many of you may also have to choose between the army or jail.

In the past few years, the experiences I have undergone have worked themselves out as a series of con-

frontations, of face-to-face encounters with reality. First there was my confrontation with certain "American friends"; then with the "Communist enemy" and finally—most important—with myself. Each has helped me to define my attitude, my position as a young urbanite, amidst the flames that engulf my country.

The day I felt really separated from the Americans occurred in the middle of 1966, during our struggle for free elections to select representatives for those segments of the population, particularly in the cities, not yet under NLF control. Our hope was that such representatives could then sit down with those other Vietnamese lined up on both ends of the spectrum to decide the fate of our country. It was a time when both North and South Vietnam were enduring their worst punishment since the massive entry of American combat forces.

To be honest, at the time in question few of us really believed in our hearts that our hopes would be fulfilled. The American military—with its half million soldiers, its Navy and Air Force everywhere in North and South Vietnam—did not want things to go that way. Private war profiteers—both American and Vietnamese—did not want it that way. And the NLF would hardly put much credence in an election which excluded them and was conducted while Americans were fighting them.

In addition, after the Honolulu conference of early 1966 we could see that the Americans (along with their allied Vietnamese generals) were planning to respond to the urgent demands of the Vietnamese people in their own way, that is by "legalizing" the puppets, who would then be put on parade for international effect. Nevertheless, in succeeding months and by some miraculous transformation, South Vietnam was graced with a Constitutional Assembly, a Senate and House of Representatives, a President and a Vice President—all very neat and legal. Each step was highly publicized by the U.S. Government and Americans proclaimed that they were so proud to be "helping the Vietnamese to create democratic institutions."

If you had been standing here with us, you would have laughed until the tears ran to see this massive and expensive bluff—organized to the smallest detail by Ambassador Bunker, the man whom we jokingly called the "international specialist in fake elections" (from Santo Domingo to Saigon). He had succeeded Ambassador Lodge, the man we called the "international specialist in coups d'état." Mr. Bunker was assisted by a hardened, very "professional" team of South Vietnamese civil servants, left over from the French and Diem eras, men who, if you had sent us voting machines, could have persuaded even those machines to come up with a nicely rigged election!

In mid-1966, as you will remember, thousands of young urban people went to jail; they included young army officers, soldiers, civil servants, police, students, laborers,

persons of practically every social category. In that year we still had lots of illusions, plenty of myths to distort our judgment. In this context I am reminded of a conversation in later 1967, when once again many Vietnamese students were thrown in jail, this time for protesting the rigged elections. A sympathetic American functionary at the Embassy asked an American student friend of mine what he thought of quiet, official efforts to gain release of the students. The latter replied: "Let them stay in jail for their own benefit, long enough to understand *who* is the enemy." He was right, in the most profound sense. For us, young men and women from the towns and cities who had drifted so far away from the problems of the people, it was a very useful time. As in the past, prisons became an important school, graduating many if not most of the brave, intelligent leaders of the Vietnamese struggle.

And so I too went off to jail, bitter and angry at myself for having entertained the illusion that we could ask Americans to let us, the Vietnamese, establish an assembly elected by the people to seek solutions to the war. I still entertained naive, erroneous beliefs in my individual freedoms, those rights expressed hundreds of times to us in Saigon government propaganda.

Almost all of my fellow inmates were categorized politically as admitted VC, suspected VC, or "nationalists" in opposition to the regime in power. Inmates were often moved from one prison to another, some having been in as many as sixteen in the space of two years. All were the victims of strictly administrative acts, whereby regional security councils could at any moment arrest and detain any person without orders from a tribunal.

Some of my jail compatriots had been held this way, "for investigation," for two, five, even ten years. Mr. Z. was an Under Secretary in the Interior Ministry, and still carried on the Ministry rolls. Mr. X., an army officer studying mathematics in the U.S. (I believe in Illinois), was ordered home and has been in jail "administratively" for five years. Mr. A. was an attaché at the Vietnamese Embassy in France. Mrs. L., with three Ph.D.s from three different countries, had been teaching at the Faculty of Law and was secretary general of the National Committee on Comparative International Law Studies. S. was a university student, Miss B. a high school student, and so on. Nevertheless, the majority among us were farmers and laborers. S. was a cyclo-driver, X. a metalsmith, N. a 75-year-old farmer, Miss T. a servant, C. a carpenter, Y. an army deserter, P. a conscientious objector. More than 70 per cent were young people, and the men outnumbered the women.

There were even some infants of 3 or 4 months, still being breast-fed, often having been born in jail. When I left prison many of those infants were almost 2 years old. Time passes so quickly! Here in Vietnam some four generations, old and young, high and low, share the jails together. They number several hundred thousand people when one counts those detained in the tactical regions, the forty-five provinces, the hundreds of districts, even the villages. And this doesn't count "temporary" detainment camps set up by troop units on operations.

Political tendencies varied greatly, from those who had been jailed for crying out for peace to those who refused the draft, refused to carry weapons or wear a military uniform. Some had been grabbed while demanding that Vietnam recover its national sovereignty, others while demonstrating in favor of free elections. Beyond these were cadres from the traditional nationalist political parties, people caught paying taxes to the NLF, a girl suspected of being an enemy liaison agent, a man believed to be a high-ranking spy for Hanoi.

A few "important" prisoners were interrogated directly by CIA officials, often in English and without interpreters. Such prisoners were rarely tortured. By contrast, "ordinary" or "low-class" prisoners were questioned with the aid of electric coils, kicks to the head, chest and stomach, the head forced under water. Girls had bottles forced up their vaginas, men were struck with gun butts, squeezed with pliers, beaten with hammers, nailed through the legs and arms. In addition, there was petty harassment, mental oppression—in short every conceivable tool and technique, modern and primitive.

In the end the authorities looked on *all* opposition types as VC, suspected VC, or at very least as having pro-Communist, neutralist or "peacenik" inclinations. Get them! Grab them! Toss them all in jail! Actually, I think if all the people of South Vietnam were allowed somehow to express their inner opinions, some 95 per cent would fit into at least one of these categories. But, of course, it was those of us who dared to say something, do something, to advance our beliefs, who were threatened with jail—one year, ten, twenty years at hard labor; shipment to Poulo Condore Island; life imprisonment; execution.

As we were shifted from one camp or prison to another we met people, made new friends, said our inevitable good-bys. With persons of all social classes, North and South, we practiced the "four togethers" motto taken from the NLF—together in eating, living, working and playing. Despite differences of social and political background we found a similarity of hopes and aspirations: for peace, independence, reunification of our country, the formation of a new society, wherein social justice would take the place of inequality and corruption. Among us were Cham, Khmer, Rhade, Nung, Tho and Chinese, as well as ethnic Vietnamese. We shared, however, our citizenship in Vietnam. Not a white man to be seen, except that once in a while a petty European businessman, or a French or American journalist, would be detained for a few hours.

In those jails most cells were about 5 feet by 9 feet, built in French colonial times to house two or three natives each. The modern Vietnamese mandarins, after receiving their "mandate of heaven" from the imperialists, somehow managed to cram ten or twelve "independent" Vietnamese into each cell. They picked up money from the Americans on a per capita basis to feed us, and occasionally American "adviser mandarins" would show up with their Vietnamese "counterparts," to discuss, measure, calculate new rooms. They looked proud and solemn. Yet conditions became steadily more crowd-



Drawings by Vo-Dinh in The Cry of Vietnam by Thich Nhat Hanh (see review, p. 377 this issue)

ed, even with the building of new, modern-style cell blocks with interior partitions and carefully painted walls (always in red and black—perhaps a form of psychological torture?). How scientific these Americans! Given long-standing trends in Vietnam, we speculated that the South might eventually be converted into one giant prison camp, especially when we heard that prisons and camps had come to outnumber the schools.

From conversations among the guards we heard that the American aid budget provided \$1 per day per prisoner. Each of us was given the equivalent of 15c, and when that had gone through the hands of corrupt intermediaries, we ended up with about 7c worth of food each day. Even so, we fared better than the war refugees outside, who got the equivalent of 5c a day. In compensation for our loss of freedom, they paid us an extra 2c!

Before our jailing we could never have imagined that human beings could endure such misery and ill treatment, both of body and spirit. Yet we are still alive, and we now believe that certain basic spiritual characteristics were more responsible than any material factors for our survival. We helped one another, we literally clung to one another, speaking of common hopes for the future, maintaining our common pride. Without this solidarity, we would have soon died, either from torture and savage interrogation, or from simple desperation and the internalization of all insults. And most surprising of all (to us students at least) was the fact that those of us who were self-confident, self-appointed “nationalists” were the *first* to lose hope. The uncomplicated farmers, the unprepossessing workers came to our aid, provided examples of courage and patience, and really gave us the best advice for sustaining morale. And another thing that I do not yet fully understand was the way in which the women and girls proved generally to be more courageous, better able than the men to endure torture and repression.

We were separated from these “uneducated” people mainly by the abundance of our illusions, our blind and

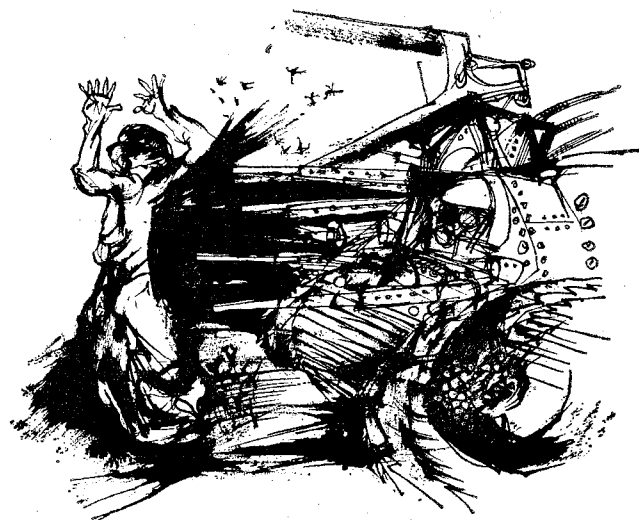
deaf faith in the meaningless slogans of “freedom” and “democracy,” or the “struggle against Communist invasion,” the “American way of life,” “free enterprise,” etc., etc. It was a struggle simply to make ourselves point at some local phenomenon and label it properly, as traditional colonialism, neo-colonialism, or imperialism.

After several years in prison, without trial, without judgment, some of us were let out, naturally with all the necessary propaganda rituals, photographs, articles in the papers. Very democratic. Unfortunately, immediately after the formalities we were all taken under armed guard to a recruit training camp.

The story is not quite over. Here, however, I want to emphasize the one thing above all that I learned in jail. The political prisoners in there with me were not struggling for some foreign ideological presumption, some Soviet or Chinese “imperialism.” Their methods of realizing ends might differ from mine, but one thing was certain: *none* of them was going to accept a bunch of foreigners—be they yellow, black, red or, above all, white—doing the job for them, bringing in troops, bombs, aircraft, forcing us to call them “allies,” and making us kill Vietnamese of our own flesh and blood.

I have had plenty of time to think; I have been immersed in the propaganda of both sides. Saigon’s version came out of the mouths of the “re-education cadre,” sent to harangue us in jail. Unfortunately for them their line was always immediately eroded by events that all could see for themselves. They asserted, for example, that Vietnam was independent. Why, then, were American troops conducting themselves exactly as the French had done before them? They talked of the “free world,” and we saw a free world—of white men, of Americans, Australians and New Zealanders, backed up by an obviously servile group of Thais, Koreans and Filipinos. On the basis of salaries and standards of living, we labeled the white men “first-class allies”; the Thais, etc., “second-class allies,” and the Saigon army, the mercenaries and draftees on starvation wages, “lowest-class allies.”

What did the Saigon cadre say of peace? What could it say? All the Vietnamese who had talked seriously of



peace were sitting in jail with us! Real professions of peace were worth twenty years of hard labor, even though Mr. Johnson or Pope Paul might be praised internationally for issuing statements on the subject that were twice as strong. However, the cadre did speak of reunification, though the Americans' reason for being here was the alleged existence of separate "South" and "North" Vietnams, the former invaded by the latter, etc. Even if one accepted this invasion story, it would still be a matter of *Vietnamese* struggling among themselves. For that matter, any intelligent person could run down the list of ruling generals in Saigon and recognize most of them as *North Vietnamese*, so that the U.S. was already supporting a bunch of "invaders" from the North!

Finally the cadre spoke of building a just society in Vietnam. We would have had to keep our eyes permanently shut to avoid perceiving that American "social justice" in Vietnam was in fact making the rich richer, the poor even poorer.

After being transported forcibly from "re-education centers" to a military training camp, I met some new friends—draftees of all types and description. Together we talked about the armed guards along the fences. I discovered that some 90 per cent of the trainees were either long-time draft dodgers, grabbed up mostly in the cities and towns, or recalcitrant deserters from military units (some for the third or fourth time), or transferrals, like myself, from re-education centers. Only about 10 per cent were volunteers, and their main reasons for signing up were hardly the most patriotic; they were tired of their outside occupation, of looking for work; they had squandered their parents' money on cards and left home under reprimand; they were simply bored with life. I heard none of them voice high principles for entering the service, or talk of "free-world" ideals. Oh yes—once I did come upon some of them talking that way in front of TV cameras that were filming a recruiting advertisement for Saigon's government stations!

Draftees being brought in from distant towns and provinces, or being moved from one camp to another, were generally piled into ten-wheeled heavy trucks, the sides **laced with barbed wire**. Preceded and followed by MP jeeps and police armed to the teeth, they roared at high speeds down the roads and highways. Armed guards forced us, sometimes violently, to sit rigidly on the truck floors, just as we had done earlier when moving from jail to jail. Here, however, perhaps because we were properly fulfilling our "draft responsibilities," hands were not tied up and we were not blindfolded. The authorities had good reason to fear that draftees would try to flee—we saw it happen more than once in Saigon, especially when the trucks were forced to slow down in traffic or stop at intersections. Anyone jumping had to risk the wild shooting of police and quickly lose himself in the back alleys and slums of the city.

When assigned to front-line units, a good proportion of draftees found ways to escape; it was not uncommon to hear that only three out of ten remained at their posts for any time at all. Many within our camp had gone through the routine of escape, capture and "training" three or four times. Some had been arrested only after

eight or nine years of dodging and hiding. With real pride they told us the tricks of the game. In time it became boring, but it did force us to ask ourselves how any government could hope to win with the likes of this crew. We could hardly avoid making comparisons between Saigon's soldiers, so tired, so lackadaisical, so devoid of purpose, and the NLF guerrillas or regulars, generally highly motivated and eager for victory.

In short, it was not hard to guess where success was likely to lie in the end. The American "experts," those realists with their statistical charts, ticked off the 700,000 or more South Vietnamese soldiers who supported them. In fact, a given division or battalion may have had only one-half the proclaimed numbers on the roster. Did the Americans hope to strike some sort of numerical fear in the hearts of the hundreds of thousands of regular troops in North Vietnam, or the millions in China?

And how about me? After all this, when I looked squarely at myself, was it conceivable that I might still believe in the Saigon government? Quite aside from my hatred of the people who beat me, who spit on me in jail, was it possible that I could be fashioned into a mercenary to serve the selfish ends of a few puppets of the Americans, men whose ideals and purposes center on stealing, corruption and bowing to the foreigner? Could I ever become a servant of these servants, perhaps even die for them?

I know that it was I and my associates, not the street-walkers of Saigon, who were the real prostitutes of South Vietnam, begging a living from the foreigner, profiting from war conditions, monopolizing status to benefit ourselves—while the nation lost its sovereignty. And most painful of all, we essentially have been living off the agony and deaths of our fellow men in the rural areas. We were, and to some extent still are, the strangers, the pariahs in this country; betrayers of our people. No one can doubt that from 1954 to 1965 we lived in cozy coexistence with neo-colonialism, only to find American troops in the end pouring into the country to kill Vietnamese and "pacify" everyone physically, exactly like the French of almost a century ago.

For a long time we have not dared to make the decisions that would send us out on the road of struggle for an honorable life. Even now we might conceivably prefer to sit back in jail rather than accept the probabilities of death. After all, when we first went into jail it was a form of escape, as well as a way to ease our consciences, pretending to ourselves and others that we were following the tradition of earlier, equally self-conscious Vietnamese nationalists.

We must *choose*, if for no other reason than because the old way of least resistance, what we called (incorrectly) the "middle path," has narrowed with every passing day, to the point that it can no longer be seen. In the end we must choose—this side or the other side.

It has worked out that way. And surely you have guessed which side I have come to stand with, if only because returning to jail would be just another chance to escape, to avoid responsibility, to squat quietly while my brothers and sisters died for me.

Bail for the Rich, Jail for the Poor

HARRY SUBIN

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On August 18, 1967, William A. Johnson stopped his car at the drive-in window of the Bank of Smithtown (Long Island), pulled out a gun and ordered the teller to hand over the money. The teller refused and Johnson fired. Only the window's bulletproof glass prevented the teller's injury or death. Shortly afterward, Johnson was arrested by the FBI, brought to court, and charged with attempted bank robbery. Bail was set at \$10,000. Johnson hired a bondsman, who posted the bail, and was freed. He was told to report on February 23, 1968, for trial. When the day came, Johnson did not appear. He did appear the next day, however, and a new date was set for trial. Ultimately, he was convicted and sentenced to twenty-five years in prison.

According to an account of this case in *The New York Times*, Johnson missed his first trial date because he was engaged at the time in robbing another Long Island bank. It was after he had relieved that bank of some \$52,000 that he returned to court to honor his obligation.

The case just described is an extreme example of a problem which is receiving increasing attention in the press and among public officials: the extent of criminal conduct on the part of persons released on bail, pending trial.

While the rate at which such crime is being committed is not known—there are sharp disputes over statistical data in the few places where such data are compiled—and while it is not known whether the rate is increasing, the issue has become of great concern to many people.

Much of the discussion of the crime-on-bail problem has centered in the District of Columbia, and a number of national leaders have advanced proposals to deal with it. The basic suggestion is that "dangerous" defendants be denied bail altogether, under a system known as preventive detention. Bills to that end have been introduced into both houses of Congress, and endorsed by leading Congressional figures from both parties. The Administration, too, has indicated that a preventive detention proposal will be part of its crime program for the District. Most recently, hearings have been opened by Senator Ervin's Constitutional Rights subcommittee (Judiciary) to investigate the issue.

Preventive detention would, if adopted into law, be a significant departure from the traditional concept that the sole purpose of bail is to insure the defendant's reappear-
ance at trial, and that every defendant in a noncapital

case has a right to be admitted to bail. It also raises a more fundamental question: can a man be denied his freedom, without trial, on the basis of a prediction of what he will do?

Two opposing schools of thought have emerged from the Ervin Committee hearings: on one side are those who point to the alarming increase in violent crime, and argue that common sense dictates that arrested persons, whose past conduct shows a propensity toward such crime, should be detained until they can be tried. They argue that the Constitution does not restrict all restraints on liberty based on prediction of future misconduct, since in capital cases bail can be denied outright. On the other side are those who feel that constitutional guarantees of due process of law prohibit solution of the crime-on-bail problem by preventive means; they argue further that as a practical matter the concept of preventive detention is unworkable because it is beyond our power to predict, with any measure of accuracy, who will commit crimes and who will not. They conclude that less drastic measures, such as providing more judges to expedite trials of the allegedly dangerous, and providing more resources to supervise released defendants, should be relied on to solve, or at least sharply reduce the problem.

Preventive detention is the latest issue in the continuing legal debate over the relative rights of the individual and the community. It is important, therefore, that the public understand what is involved.

The first point to be made is that, while preventive detention has never been authorized by law in this country, it has been extensively practiced throughout our history. The means has been the imposition of money bail in amounts greater than defendants considered "dangerous" could post. This is a subversion of the original purpose of bail, which developed in medieval England as a technique for freeing defendants prior to trial, while at the same time providing some assurance that they would return to court. Bail was never considered as a device for detention in England of that time, for the reason that the right to bail was limited to relatively innocuous crimes. There was no such right in capital cases and all felonies were capital crimes.

The founding fathers probably had the English system in mind when they adopted the Eighth Amendment ("excessive bail shall not be required"—taken directly from Magna Charta) and when, even earlier, they passed the Judiciary Act of 1789 (giving the right to bail in all non-capital cases). The problem for the bail system arose when they also drastically reduced the number of capital crimes, which had the effect, desired or not, of guaranteeing the right to bail to most defendants charged with felonies. One might expect that this right to have bail set, plus the prohibition against excessive bail in the Eighth Amendment, would guarantee release pending trial to all defendants charged with noncapital crimes. The law, however,

has its special logic and, early on, the courts decided that bail was not "excessive" merely because the defendant did not have enough money or other resources to post it. It is not certain why the courts reached this strange conclusion, but there is reason to suspect that the judges felt a need to prevent the release of those who seemed likely to flee or, even more important, those likely to endanger the community.

And so the bail system grew: Designed to bring about release before trial, it has become in fact the defendant's chief obstacle to release. Created solely to guard against flight, it has been used to great extent in an effort to prevent crime. It has resulted in the intentional detention each year of tens of thousands of persons whom judges, for reasons known only to themselves, consider "dangerous." And it has resulted in the accidental detention of hundreds of thousands who simply do not have enough money to post the "not excessive" bail imposed upon them.

It has, moreover, created that peculiar American institution, the professional bondsman, who, as one judge has noted, "holds the key to the jail in his pocket." It is the bondsman who makes the ultimate decision to release in almost every case where the judge imposes money bail. Being a private entrepreneur, the bondsman acts solely on the basis of the defendant's wealth; that is, his ability to pay the bond premium or, more usually, his ability to post collateral.

The bondsman does not need to be concerned with the defendant's danger; indeed a good reliable professional criminal is a preferred risk, and may even be released on credit, because the bondsman knows he will obtain the money for the premium, and will honor his obligation to return. When full collateral is posted, the bondsman is not even concerned with the risk of flight, since he will not suffer from forfeiture of the bond. The result is a system in which those with money are released, whether they are dangerous or unreliable, and those without money are detained, even if they are harmless.

During the past decade, the patent unfairness of the money bail system has become a national issue. In the 1950s Prof. Caleb Foote produced shocking proof of the extent of detention based on poverty, and of the legal and personal hardship it produced. The Vera Foundation, between 1961 and 1964, demonstrated in New York that for certain defendants money bail was not only inequitable but unnecessary. Vera's Manhattan Bail Project showed that 98 per cent of a group of 3,500 defendants, selected for their good ties to the community—jobs, homes, families, etc.—would return to court even if no money bond were required.

Federal authorities, principally Atty. Gen. Robert Kennedy, were impressed with the findings of the bail reformers. The wheels were set in motion to reform bail procedures in the federal courts. The result was the Bail Reform Act, finally passed in 1966. In effect, the Act endorsed the findings of the Vera project. Its purpose, as expressed in the preamble, was to

assure that all persons, regardless of their financial status, shall not needlessly be detained pending their

[court] appearance . . . when detention serves neither the ends of justice nor the public interest.

The Act then created a presumption in favor of release on personal (unsecured) bond or on "recognizance," and set up a series of nonfinancial conditions (such as supervision by a third party) which could be imposed if the court found it necessary to add assurances of reappearance. The Act did not, however, abolish money bail; rather, it gave it low priority among the conditions which could be imposed.

The Bail Reform Act was hailed as a major victory in the battle for an equitable system of pretrial release. To many—including both its most ardent supporters and the professional bail bondsmen—it was considered a major blow to the money bail system. In retrospect, however, the jubilation of the former and the consternation of the latter seem naive. For the Act really addressed only one of the two major issues in bail: it made important inroads into the problem of the unnecessary detention of the defendant who posed little risk of flight, but was too poor to post money bail; it did little, however, to change the way in which the allegedly dangerous defendant was to be treated. The Act's stated purpose was to eliminate "needless" detention, when "detention serves neither the ends of justice nor the public interest." What were judges to do when they considered that the "ends of justice" or the "public interest" would *not* be served by a defendant's release? On this question the 89th Congress was as silent as the First Congress had been. And prosecutors and judges could assume only that they were left with their traditional device, the imposition of impossibly high money bail. For the defendant judged too dangerous to release, the Bail Reform Act seemed, therefore, to offer little hope.

The test of whether the Act would in fact make a difference had to come in the District of Columbia. Only there did federal power extend to the common varieties of serious street crime which traditionally were considered the most appropriate for preventive detention through high bail. The Act appears to have raised the overall rate of release, the result, most likely, of bringing the problem of the inadvertent detention of good risks to the attention of the judges. It does not appear, however, to have much affected the use of money bail in serious felony cases. As always, a substantial number of the releases in such cases, and all but a handful of those in detention, were faced with the requirement of posting a money bond.

The traditional bail system, therefore, continued to thrive under the Bail Reform Act. In view of this, it was somewhat surprising that a number of the District's judges and prosecutors began to protest openly that the Act was forcing them to release dangerous criminals. They cited particularly dramatic instances of crimes committed by defendants released pending trial. They did not point out, however, that while only one-fifth of all defendants who were released gained their freedom by posting money bail, nearly half of all the crimes charged against released defendants were committed by those let out on money conditions. The Bail Reform Act could hardly be held responsible for the crimes committed by these defendants

who would, presumably, have been released even were there no such Act.

Nevertheless, many proponents of the Bail Reform Act, while arguing that criticism was unfair because the Act had not had an opportunity to prove itself, seemed to accept the complaint that the Act was responsible for the wide-scale release of dangerous defendants. Fred Graham, reporting on the Ervin Committee hearings for *The New York Times*, observed that as a result of the Bail Reform Act it "suddenly became unlawful to impose bail," and that therefore, "chronic criminals had to be released." This is a fair reading of the testimony; it is not, however, a fair reading of the facts of bail practice in the District. Despite the Bail Reform Act, money bail is set in close to 50 per cent of all cases and results in pretrial detention in about half of these.

And much of this detention is intentional. This fact was brought home forcefully by one judge of the District's Court of General Sessions where virtually all bail decisions are made. It was his practice, he said, to impose a bail of \$10,000 on any defendant charged with a felony who had a prior felony record. This judge may be more candid than most, but his bail decisions in major felony cases are probably not far out of line with those of his colleagues. For most of them, the Bail Reform Act is a useful guide in dealing with good risks, but is largely irrelevant in dealing with bad ones. It is significant that none of those who have objected to the Act have put forward convincing evidence that the rate at which "dangerous" defendants are being released is greater today than it was before the Act was passed. Then, as now, some defendants who subsequently proved dangerous were released. Then, as now, the reason behind most of these releases was that the judge guessed wrong, and permitted the defendant to go free. It is understandable that judges would attempt to shift the blame for such errors to the Bail Reform Act. But when one considers that Congress expressly intended the Act to eliminate detention only when detention serves neither justice nor the public interest, and when Congress perpetuated the judges' power to impose money bail, and thus to enforce this intention, the argument loses credibility.

If the Bail Reform Act is to be criticized at all, it is not because it stripped the courts of the power to detain, which it did not, but because it perpetuated the old, inefficient and dishonest system of detention through the use of high bail. Congress ducked the issue of preventive detention, and thus perpetuated the dual (not to say two-faced) bail system, with its separate practices for "good" and "bad" defendants.

Thus an air of unreality surrounds the current preventive detention controversy. To argue that judges should have the power to detain outright, in addition to their power to detain by setting high money bail, is to propose a redundancy of power. The debate would have meaning only if preventive detention were to be proposed as an alternative to the money bail system.

Admittedly, these are unhappy alternatives. Both do violence to basic constitutional rights: under preventive detention a man is declared a danger and jailed without a

trial; under the money bail system a man is deprived of his liberty because he cannot afford to buy it. Both alternatives, moreover, permit the judge to make a prediction—that the defendant is dangerous—which is clearly beyond his or anyone's power to make in most cases. But the only system which would be completely fair to the defendant—an absolute guarantee of release in all cases—would be intolerable to the general public and its representatives. Hence the real issue to be decided is not *whether* to have preventive detention but what form it should take.

In my view it would be better if the law were made to conform to the practice of preventive detention, and to face openly the issue of public danger. Under present law the judge, observing a defendant he believes dangerous, merely assigns some dollar value to his risk. What is more, if forced to express the reasons for his action, the judge will invariably say that the amount of bail was necessary to insure the defendant's appearance at trial, since that is the only legally accepted reason for setting bail. The judge is thus not only relieved of ultimate responsibility for the defendant's release or detention but is forced into a lie; and the defendant, unless he can obtain his release from a bondsman, is faced with the task of proving, on appeal, that the amount of bail set was "unreasonable," a task made nearly impossible by the fact that bail may be reasonable and yet beyond his means.

It would be more honest and fair if judges were not permitted to set money bail in amounts greater than a defendant could post, and were instead required to declare their conviction that a defendant was or was not too dangerous to release. Following from that declaration, appellate courts, in reviewing bail decisions, would be forced to develop uniform standards as to what constitutes a danger so great that detention is required.

To argue that an outright preventive detention system would be an improvement over the money bail system is not, however, to argue that such a major change should be undertaken immediately. The adoption of a more open pretrial detention procedure will not of itself assure more rational decisions. Judges will still have to predict danger; and unless adequate guidelines are provided, wide-scale, unnecessary detention could continue. In developing these standards, two areas must be pursued. First, legislators must identify the kinds of risk they are most concerned about—the usual formulation includes persons charged with crimes of violence who have prior records of such crimes, or who have made specific threats of violence. The legislators must also prescribe tight procedural rules to govern the exercise of the detention power, including full adversarial hearings on danger, strict and short limits on the length of detention, and easy and prompt appellate review.

Second, a period should be set aside for intensive research and experimentation designed to test the proposed legislative formulations on danger. Thus, means short of preventive detention, such as expedited trials of high risks, and intensive supervision of released "dangerous" defendants, should be tried. Most important, experiments should be conducted to test whether our ability to predict

danger can be improved. One such experiment was proposed by Prof. Alan Dershowitz of the Harvard Law School at the Ervin Committee hearings. He suggested that tentative criteria for detention be devised and that "defendants who are predicted to engage in violence be released in the face of these predictions," in order to test the accuracy of criteria.

Until these steps are taken, it would seem better to retain the system we have endured for so long. There is reason to fear, however, that the growing pressure in Washington to adopt preventive detention will force a

law through before experimentation and research can refine the categories of cases to which it should apply, and without re-evaluation of the need for money bail. The result of such a measure will be to give judges a little more power, and the proponents of the get-tough policy a line of credit with the law-and-order forces. It could even cramp the style of a William A. Johnson, who might lose his access to a cooperative bondsman. But the probability that it would substantially reduce the number of crimes committed by defendants awaiting trial is not great, for the vast majority of them are already sitting in their cells.

THE EXPENDABLE CITY

STRATEGIES for the GHETTO WARS

MARTIN OPPENHEIMER

Mr. Oppenheimer, chairman of the Department of Sociology at Lincoln University, (Lincoln University, Pa.), is the author of The Urban Guerrilla, to be published shortly by Quadrangle Books. The following article is adapted from a section of the book.

Today's city is the most vulnerable social structure ever conceived by man. At one time designed to serve an agrarian society as a center for its products and as a focal point for commerce, it is now declining in importance to the nation's commerce and industry; at the same time it becomes more and more dependent for survival on resources beyond its effective control. In the United States, moreover, this decline in importance to the society as a whole is coupled with population trends that make the city increasingly the home of the black and the poor. Thus while the city is vulnerable to insurgency warfare that would jeopardize such social decision-making centers as may remain in it (for example Wall Street), anyone so dislocating it also jeopardizes the very population he is trying to help by revolutionary methods. Put plainly, the urban guerrilla who disrupts society by disrupting the city will also inflict heavy suffering on his own people. And if he seizes the city, he seizes that which is at present most expendable, most bankrupt, most backward (economically and governmentally speaking) in our society—with the possible exception of Appalachia.

The vulnerability of the ghetto population is becoming evident to militant black leaders. But the city's vulnerability to paramilitary attack is also obvious. In Chicago, on the South Side, says William Barrow (*The New Republic*, April 20, 1968), "every fourth street is commercial; arsonists could set off fires in the principal white-owned businesses of each street, thereby occupying the fire and police departments while saboteurs spread out over the city to derail trains (most of which run through the ghettos), blow up power plants, and despoil water systems." In Detroit, the East Side has several "vital" installations, including electricity, water, Chrysler and Parke Davis pharmaceutical plants. In Philadelphia, ghetto areas com-

mand the communication route from Washington to New York (except by air), border the industrial northeast and southwest of the city, and virtually surround the University of Pennsylvania-Drexel Tech complex (including a major railway and post office center).

Increasingly, police are equipping themselves to handle urban disturbances. Elaborate contingency plans, including computerized data-control systems; carefully trained tactical units, from federal down to local police levels, and the latest in counterinsurgency weaponry (helicopters, gases, Stoner assault rifle systems, counter-sniper teams, armored vehicles, electronic snoopers devices) are now a normal part of a city's budget. The tactical "improvements" developed in the last several years make earlier army and police manuals on riot and mob control look as relevant as Orville Wright's first airplane. And the economic weight of such repressive measures to urban governments and to society more generally is fantastic and obviously out of proportion to its alleged benefits.

It is difficult to get an accurate figure as to the cost of this repression to society (and we are considering only preparations, not actual enforcement in a real situation). But the remarkable rise in the prices of "security industry" stocks may be an index. One expert has estimated the size of the "law-enforcement market" at about \$2.5 billion per year, which is more than the 1968 federal appropriation to the Office of Economic Opportunity. (This does include about \$1.2 billion for "protective service companies" such as Pinkerton's, which are only partially devoted to anti-riot or related activities.)

Blacks are arming, the police are arming, and the ultra Right is arming. "All over the United States the John Birchers, the Minutemen, the States' righters, the Nazis and Ku Klux Klan are arming and training for total warfare against our people. . . . The Afro-American hasn't got a chance in the United States unless he organizes to defend himself," says Robert F. Williams. "We have taken off the kid gloves with these elements who cause riots," says the police chief of Tampa, Fla. "Are you ready now to prepare yourself for the next one? Or will you be forced

to stand helplessly by because you were unprepared to defend your home or neighborhood against bands of armed terrorists who will murder the men and rape the women?" asks a Detroit white group.

"Preparations" are accompanied by dire prophecies about a second Civil War, decades of urban turmoil, and a hopeless division of the races for generations to come. At the same time, government and business agencies alike continue to explore and expand the field of "human relations." There are endless meetings, conferences, and training exercises in "defusing" the urban problem. While actual legislation to deal with problems amounts to little, there is no dearth of good will, and brotherhood messages continue to pour forth across Kiwanis tables, and down from pulpits.

Police repression tactics can be viewed as part of a "two-war" strategy being waged by urban establishments and by the national political and social power structure to "save the cities." The other side of that war is the so-called "war on poverty." But just as a two-war strategy is fundamentally unworkable in an underdeveloped colonial setting, so it is unworkable in the colonial setting of the American ghetto. The military side of the strategy undermines the social side, even assuming that the social side is sound—which it is not. The war on poverty, with all its auxiliaries, functions basically to maintain the ghetto in its colonial position vis-à-vis the American power structure. It co-opts ghetto leaders and amalgamates them into the lower echelons of the Establishment. At least so far, the exploited condition of the mass of ghetto dwellers has remained little changed.

Furthermore, when the costs of riot control are added to other measures needed to keep the American city afloat (welfare, renewal, highways, and so on), it is evident that cities are expensive to the power structure. A clever Establishment might well choose to flee the cities, as do businesses and many middle-class individuals. The Stock Exchange has even spoken of moving from Wall Street. The movement of our nation "toward two societies, one black, one white—separate and unequal," mentioned by the President's Commission on Civil Disorders, would thus be accelerated, and a kind of "Black Power" would be created.

It is clear that the Establishment is tempted by this strategy. Business elements who talk of building up black businesses in the ghetto seem to be leaning more and more toward leaving the city themselves, and exerting indirect control through investment in the "internal colony." Sometimes this can even be done with anti-poverty funding assistance, and in the guise of militant Black Power. In Philadelphia, Rev. Leon Sullivan's Opportunities Industrialization Center, a job-training facility supported partially by parishioners and partially by the federal government, expanded in early 1968 to found a plant, Progress Aerospace Enterprises, Inc., which is "all-black-initiated, owned, and administered." It is a subcontractor of General Electric for \$2.6 million, and of the Department of Labor (for job training) for another \$522,000. Banking support was provided by Philadelphia's First Pennsylvania Company. In this way, some capital generated by the community and some invested indirectly from the outside by pri-

vate and government sources combine to increase the pool of "native" entrepreneurs, and at the same time create a stable auxiliary to white business in the black ghetto, free from the threat of black riot.

This development is welcomed by some Black Power advocates and explains their flirtations with political figures who seem to be recommending a "neo-colonialist"



"Whitey All for Black 'Community Control'—He say, 'Control Yourself!'"

strategy. Interestingly enough, political leaders who advocate a Vietnam "reappraisal" seem to be moving in a similar direction—and it is suggestive that some of these same leaders are beginning to favor strengthening some aspects of Black Power.

However, the more conventional "two-war" strategy continues to receive support, and a battle rages between those who prefer repression and those who emphasize the "other war"; this conflict also parallels some official views concerning Vietnam. Both domestically and internationally, then, we have "hard-liners," "soft-liners" and "reappraisers," that is colonialists, liberals and neo-colonialists. But this division of views is not always clear cut. For one thing, reforms of the "other war" kind often overlap with reforms of the neo-colonialist kind; Progress Aerospace

Enterprises is that kind of mixture, as are many ghetto endeavors in which "self-help" and "maximum feasible participation" are combined with attempts to seek equal job opportunities within white-run institutions.

Relatively moderate Black Power demands can thus be absorbed without basically changing the ghetto. It may be possible for the system to amalgamate even more radical "cooperative self-help" schemes; for, as Harold Cruse suggests, "American capitalism's dynamic . . . can take every one of what [Robert F. Williams] calls the essential demands of 'our people' and use them to buy off and absorb every militant wave of the entire Negro movement, as fast as they emerge."

The function of neo-colonialism as an Establishment strategy is obvious: it is cheaper than force and produces more stability. What, then, is the function of repression?

Partly, repression is related to the antiquated nature of urban government. That is, because the police department exists, it is required to maintain order even if that maintenance is economically unsound. A white police department which acts as an occupying force in the ghetto makes little rational sense. Black communities can police themselves and in fact govern themselves efficiently. But the police, like welfare institutions, see Black Power (even under neo-colonial auspices) as a real threat to their own power and jobs. Repression therefore functions to preserve jobs and power.

A second function of repression is psychological: urban police act on behalf of many in society who are racist and fear blacks. A violent movement, or one which for any reason can be perceived as violent (even though falsely), permits society to rationalize the evasion of ghetto problems. A nonviolent movement at one time blocked off this kind of response by refusing to let society off the hook of responsibility. "The nonviolent movement force[d] right-minded people to confront the real issues of social justice. Were the movement violent, many people would evade the real issue of justice by getting 'hung up' on the violent means. Riots give people an excuse they've been looking for."*

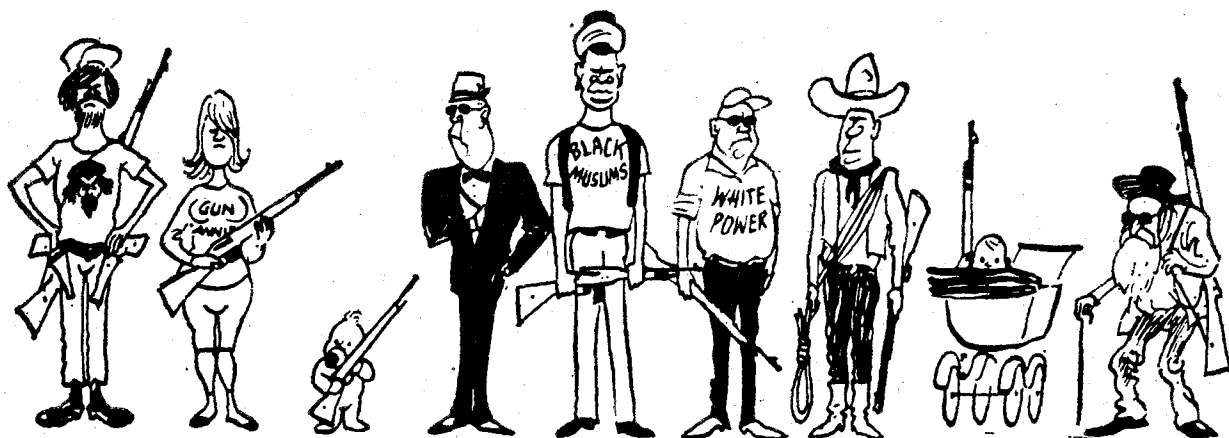
More concretely, violence is directly functional to certain

police forces that seek to destroy black militancy altogether (which is why, in recent months, black militants have sought to evade direct confrontations in which they would lose—a lesson learned at great expense by every guerrilla movement in the world). But the image of violence must be preserved in order to rationalize these tactics. The best way to do that is to act as if the present movement were violent, react to it violently, and thereby create a self-fulfilling prophecy as the movement attempts to defend itself. The fear of blacks causes arming, by both police and private citizens; arming causes blacks to arm; this creates more fear, and so on—an arms race, in short.

In general, police represent the "military wing" of a "two-war" strategy. In many localities and at the national level, those in power prefer "law and order" under their own auspices to the erratic social controls imposed by ultra-rightist groups. Symptomatic of this preference was the police defense of a pacifist camp in Connecticut against an armed Minuteman attack in August, 1968; similar police actions against plans of Minutemen and, in the South, the Klan, had taken place before. Political figures today continue largely to espouse a viewpoint opposed to extra-legal methods because such methods undermine the stability of the system.

However, the police themselves do not always share this perspective. More and more, it would seem, police see the moderate wing of the Establishment as being partly or largely responsible for the instability of the system by refusing to let the police "do their job," that is, apply police powers rigorously to minority ethnic and leftist political groups. Attacks on the Supreme Court are part of this approach. Hence, police sometimes become part of an ultra-rightist strategy. The repression of the California Black Panthers suggests such a variation, although this normally takes the form of citizen vigilante action. It is not difficult to see how this can lead to a perception of the police as an occupying force. Thus Gene Marine reasons (*Ramparts*, June 29, 1968): "If white America is the mother country and black America is the colony, then the white police of Oakland are not police at all but occupation troops . . . then the question of [Huey] Newton's guilt or innocence according to white law is really irrelevant: he is

*Oppenheimer and Lakey, *Manual for Direct Action* (Quadrangle).



a political prisoner charged with defending the integrity of his people."

Many law-enforcement agencies are infiltrated by the Right and work hand-in-glove with it, by no means exclusively in the South, as the Panther case suggests. Law agencies throughout the country, up to the federal level, have for years been harassing not only militant black groups but more conventional direct-action civil rights groups, as well as left-wing groups.

In such an atmosphere rightist terror groups become bolder and begin to operate more freely to subvert the rights of others. Germany in the 1920s offers a classic case of such subversion; observers have pointed to a disquieting parallel in this country, in this era of political assassinations.

Reform includes both the "other side" of the "two-war" strategy, and the neo-colonialist strategy, for both intend to make concessions in order to preserve the essence of the system. The "other war" is oriented to the creation of a black elite which will take its place in the lower echelons of the white power structure; neo-colonialism aims at creating black enclaves which will be politically and economically stable sub-segments of the dominant white system.

The ability of the system, so far, to adapt to various pressures from the black community has led Harold Cruse to the verdict that "... the American social dynamic has the built-in persuasion to bend all so-called revolutionary inclinations into the reformist groove ... [and] ... buy off all the ghetto rebels with consummate ease."

A social system has what might be called a reform potential, which is an index of its viability. Reforms are, in other words, a constant test of a system's parameters. Its ability to produce a particular reform in the face of pressure creates for it an outpost, as it were, against revolution.

As long as a reform is demanded and the system *can* give it, it will be given, provided enough pressure is applied. But if the system *cannot* give a particular reform (because it strikes too closely at some *fundamental* aspect of the system, as its leadership sees it at the time), then we know its point of weakness. The revolutionist looks for those limits of a system to press an attack. To paraphrase

Guevara, so long as government can maintain the appearance of viability (through establishing boundary points by specific reforms), revolutionary struggle cannot be successfully promoted, "since the possibilities of peaceful [conventional] struggle have not yet been exhausted."

Furthermore, despite strong arguments that paramilitary and nonviolent struggle can undermine a system and create a revolutionary climate (that is, so that the outposts of reform fall), this has really never happened. Nowhere has significant revolutionary warfare begun except where the regime had already refused (hence, for whatever reason, was unable) to make reforms. Every guerrilla outbreak has begun only after some colossal break in the system—for example, refusal to hold elections, large-scale purges, arrests and shootings, the alienation of some significant group by refusing to permit it any access to some (even limited) power, massive repression of some potentially revolutionary minority group, and so forth.

That is why repression helps a revolution. It forces people to the conclusion that reforms are no longer obtainable, hence to a break with the system. Any Establishment worthy of the name will try to avoid such a situation at any cost short of surrender. Any revolutionist worthy of the name will constantly test a system to force it to give every reform it can, and then, when it cannot or will not give any more, to the surrender point—"up against the wall."

Once revolutionary warfare has broken out, attempts to reverse the trend (for example, through the "two-war" strategy) are very difficult if not impossible. In exceptional cases, usually involving an insurrection prematurely manufactured by adventurers, or even outsiders, the Establishment can still hope to deal with the situation by setting up outposts of reform so as to promote a perception by citizens that the system is indeed viable.

In the contemporary American situation, many see the system as ripe for revolution since one set of outposts has been seemingly overrun. It would appear that at the local level, at the state level, and even to some degree at the national (at least Congressional) level, the limits of reform in the political arena have been reached for the next few years. These reforms have proved inadequate when they have not actually worsened the situation (through false assumptions and promises, bad planning or



Every Man His Own Gun!

Behrendt, Algemeen Handelsblad (Amsterdam)

corruption). Adequate reforms are blocked by a nationwide political system which increasingly proves unresponsive to society's problems.

Moreover, the political system appears less and less suited to be a lever for change. At the state and local levels, certainly, political parties seem to be the property of those in power and their cronies; they are organized to exclude participation by concerned citizens seeking reform. Patronage continues to be the primary function of politics, and patronage in turn sabotages those reforms that are instituted. As a result, reform elements in society (from business to the poor) seek ways to by-pass or side-step the political system. Neo-colonialism is an Establishment response designed to create reforms when they cannot be pushed through "normal" political channels.

The relatively new phenomenon of "responsible mili-

tancy" is a part of these neo-colonialist tactics. Whether it takes the form of using militant blacks as deputy sheriffs, as in Chicago, or of Black Power-oriented rock singer James Brown cooling off a Boston riot after the King assassination (he was later invited to the White House), or of "responsible" Tim Still or "supermilitant" LeRoi Jones using Chamber of Commerce money to form "trouble squads" to keep Newark from exploding, is irrelevant. Only the Black Panthers have at this point not been made, in some way, an adjunct of the system. That is probably because of the incredible stupidity of the repression-oriented power structure in Oakland. On the surface, many of the Panther demands are no more revolutionary than are those of other militant groups which have by now become partners of more enlightened local white establishments.

LUCKY FOR WHOM?

GROCERIES, GAS AND GAMES

JENNIFER CROSS

Miss Cross has written a consumer book on the food industry which will be published later this year by Indiana University Press. It developed from earlier articles published in The Nation.

Anyone who has ever accumulated a pile of useless "Bonus Bingo" slips or "Wiki Wiki Dollars," and wondered who was playing games with his food and gas money, can find most of the answers in the Federal Trade Commission's recent "Economic Report on the Use of Games of Chance in Food and Gasoline Retailing." Started during the housewives' boycotts at the end of 1966, this long-incubated study summarizes both the commission's findings and the hearings on gas station games, held last summer by Rep. John D. Dingell, chairman of a subcommittee of the House Select Committee on Small Business.

Evidence from both sources strongly suggests that the games constitute a triple-layered hoodwink. The public is fooled about its chances of winning, the oil companies and food chains are misled about the sales increases the games will provide, and the gasoline dealers are completely sold up the river as to their costs and returns. These consumer games are also peculiarly vulnerable to rigging. In the end, the ones who make out best are the successful game promoters.

Obviously some members of the public benefit, theoretically, at least. Someone has to win all those Mustangs and \$1,000 jackpots. But many people do not realize how thin the goodies are spread. According to the FTC, the chances of winning any cash prize on one random visit to your friendly game-playing supermarket are 0.34 per cent, while the chances of taking home \$1,000 are 1.2 in a million. According to the Glendinning Co., one of the four largest games promoters who submitted its own report to the FTC, odds on the \$1,000 jackpot are even more micro-

scopic—a mere one in 287 million, or one in 11,512 for a regular shopper over the whole game period.

Motorists' hopes for a lucky strike are no better. A Georgia survey submitted to the Dingell hearings showed that it would take two years of weekly visits to the gas station to get a \$1 prize, and 96 years of similar fidelity to win \$10. Snorted Frank Weikel, a reporter from the *Cincinnati Enquirer* who had amused himself by going through boxes of game pieces in search of the miserably few winners, the odds are worse "than a guy swimming the English Channel in a storm with an anchor round his neck."

Nevertheless, food chain and oil company advertising carries the strong implication that *you* personally will win, dangling the carrot of luscious jackpot prizes, even though these may have been won early in the game, and even though the whole lottery may have been fixed, to award prizes for strategic reasons.

The FTC found enough evidence of rigging to conclude that certain chains and oil companies occasionally distribute big prizes to favored outlets, generally where sales are large and/or competition unusually tough. In fact, a sales letter from General Marketing Corporation, creator of "Pick-A-President," which happened to stray onto Congressman Dingell's desk, stated: "We will program a pre-pack of cards to give you automatic distribution of the winners you specify to the exact locations of your choice."

Another trick is to hand out a jackpot early in the game to insure peak interest. One Los Angeles supermarket was even advised by a game promoter to take the first \$1,000 prize and plant it on the most talkative woman in the neighborhood. Some advertised prizes are never awarded at all, either because the winning tickets were not redeemed, or because the sponsoring company became dis-

appointed in the response and decided not to throw good prizes after bad money. Such was the case with American Oil's "Super Pro," where only 398 Mustangs were won out of a publicized 1,000.

A few jackpots have gone straight into the pockets of enterprising dealers or their friends. Dealers in Oregon, Maryland and Virginia bragged to Congressman Dingell about their ingenuity in spotting the winning tickets. Also, a law student, Barry Tumpson, turned Humble's face red by presenting \$20,000 in winning tickets for "Heads and Tails," which he gleaned from the "commons" by shining a slide projector light on the whole batch (he is said to have settled out of court for a respectable \$5,000).

Part of the bill for the whole shenanigans gets passed directly onto the public, depending on how successful the particular game turns out to be. After studying the experience of nine games-playing food chains, the FTC found that all of them suffered a slight increase in the cost of doing business. Between 1964-66, when games were at their peak, they spent \$40 million more on advertising, three-quarters of which was directly attributable to games. A few shoppers complained to the FTC that food prices were increased by as much as 10c on selected items. More commonly, the chains cut back on their "specials"—a tactic which was not reflected in the Consumer Price Index, but which certainly penalized many shoppers. Gas prices have also gone up by 1c or more since the oil company gambling mania started early in 1966. It is hard to say exactly how far games are responsible, but the FTC evidence shows that many motorists and some dealers believe them to be the villain.

Many sponsoring companies have been oversold on games as sales promotion. For example, a Walter Schwimmer brochure, advertising "Let's Go to the Races," states that grocery shoppers may come back "as often as twenty-five times a week. They hope that one of their cards will prove to be a winner. All of which adds up to a whale of a lot of extra traffic." What Schwimmer did not mention was that consumers gradually get smart, and either split their usual purchases, or stop by merely to collect their game card—leaving the chains with less sales increase than they expected, and the bill for 30 per cent more game pieces to cope with the rush.

Gas dealers have found the same thing. One of them grumbled: "Customers that I had for years, who normally filled up, would now come in several times a week and spend \$1, \$1.50, \$2, and it takes just as much time to service that car, to gas it, to check his hood and service the windshield, as it does to fill his tank."

In theory, said the games companies, chains should enjoy an 8 to 35 per cent sales jump, averaging 20 per cent for the course of the game; gas dealers should increase their gallonage by 40 to 50 per cent.

In practice, such a bonanza is forthcoming only when the company is first, maybe second, in the market with a popular game. Hence Safeway was able to make a killing out of the first round of "Bonus Bingo," and Tide-water with "Win-A-Check." "Bonus Bingo" and "Let's Go to the Races" have also built up what promoters call a good "track record," meaning that people like to play

them, and the sponsoring company can normally count on a solid sales increase.

Many firms, alas, get stuck with real bombs, and either lose money, barely recover their costs, or only manage to hold their existing sales position. Such a situation arises when competitors retaliate with stamps, giveaways and discount prices, or start games of their own. This happened to supermarkets during 1966, when game saturation was at its peak, with fifty-two varieties in play; and to many gas dealers during 1967-68. Even successful games rarely do anything more than produce a temporary windfall for their croupiers. Over the year, there is little difference in the profit picture of sponsors and non-sponsors.

Another depressant is healthy disillusion on the part of the public. Last year, the Burgoyne Index, one of the food industry's main customer thermometers, recorded that 57 per cent of its sample would like games eliminated, up from 35 per cent in 1966; 36 per cent tolerated them (down from 46 per cent) and only 7 per cent still liked them.

Even in 1966 the FTC and leading food chains received 354 consumer complaints on the subject—a relative barrage, given the public's customary apathy. "Anyone desiring to gamble can go to the race track; this is not honest advertising," said one typical letter. "Stamps, card and bingo games are the forced gimmicks responsible in great part for the extra cost of food," said a second. "We will welcome the day when stores can go back to selling quality merchandise on its own merit and provide courteous, efficient services, instead of stamps, etc., in bidding for the customer's trade."

This resentment has lately been affecting the industries concerned, producing, as the February issue of *Fortune* points out, "a curious degree of schizophrenia in corporate policy," whereby "top executives of many of the same corporations have felt perfectly free to criticize the games that their subordinates were busily buying." Said Michael Haider, chairman and chief executive of Standard Oil of New Jersey, about his firm's use of games: "I think it is a damned poor way to market gas," a sentiment endorsed on other occasions by such companies as Citgo and American.

If the brass is cynical, many gas dealers have become downright rebellious. Dealer associations in Florida, Georgia and Oregon moaned to Congressman Dingell that they were forced to participate, either by massive advertising to create consumer demand, or by occasional threats to cancel their leases. They paid through the nose for their game pieces: a typical cost was \$15 for a box of 1,000 tickets containing \$11 worth of winners. Often their sales increases were disappointing, particularly as the market became saturated. Their service started to go to pieces. And to cap it all, customers became hostile when they failed to win. Dealer pressure was in fact responsible for the Dingell hearings. It has also persuaded state legislatures in Massachusetts, Ohio and Wisconsin to ban games on the ground that they violate the lottery laws.

It is clear that the only winners are the games companies. In just seven years since 1961 the market has

grown from nothing to an estimated \$200 million, and games promoters have proliferated from one, the redoubtable Harry Reichman, to somewhere between seventy-five and 120. Today, 70 per cent of the business is held by four companies, Glendinning, Kayden Industries, Strategic Merchandising and Walter Schwimmer. Few of their financial results are published; however, it may be significant that Glendinning has enjoyed annual sales increases ranging from 221 to 37 per cent since 1962, two years after the company was founded. It is little wonder that several of the golden geese have been gobbled up by professional marketing and sales promotion companies.

Since the whole scene is so depressing, why are the games still played? Why not cut out all the hoopla and lower prices or improve service? The reason given by the sad sponsors is "competition": other firms have games, so they must play or go under.

Getting down to the unpleasant truth—which business dislikes doing outside its own trade and financial press—both the food and oil industries are overbuilt: there are more gas stations and supermarkets than the market can sustain with reasonable profits. Gas stations squat on the corner of almost every busy intersection (how do they all make a living?), while some supermarkets which had clienteles of 11,000 to 12,000 in 1954 can now count on only some 3,400.

Since both food and gas are basic, undifferentiated products, the market is relatively inelastic. People will stuff neither themselves nor their cars simply because the prices of the nourishments fall. In any case, cost pressures are such that no firm can offer more than mouse-size price cuts and hope to stay in business. Hence the value of games: they may not permanently enlarge anyone's market, but they can do wonders as temporary traffic stealers.

To the despair of the intelligent consumer, many people really enjoy games, preferring them to genuine, if limited, price competition. Howard Brown, a vice president of the Plaza Group (a successful games company), offers the following theory in a book he has written on games psychology: "When we were children we always got something for nothing. But now that we're older, it's different—you get nothing for nothing. In games, there's an opportunity to re-experience that early developmental level of getting something free. You match something, and you get a reward."

All a game has to do is attract a small number of these submerged children. A 5 per cent sales increase is enough to meet the break-even cost; above 10 per cent, the company is laughing, and at 15 per cent, it is practically drowning in gravy. Meanwhile, *everyone* gets a game card poked at him, whether he wants it or no. Many, out of sheer inertia, will play.

It is difficult to see what can be done about these deep-rooted competitive and psychological pressures. The FTC has been holding hearings with a view to passing a kind of "truth in games," which would cut down the blah about winning, and require the public to be told how many prizes will be awarded in a specified area during the game period. The commission also proposes to stop rigging, and to protect gasoline dealers from being coerced to par-

ticipate. The games companies, at least, will go along with these regulations; in fact they have already been bending over backward to clean house and see that games are rigid and tamper-proof.

The food industry is currently pursuing a slightly different tack, both in defense of games as a promotion and, more important, of its right to sponsor them without too much whistle blowing by the government referee. The National Association of Food Chains hired two prestigious Harvard professors, Jesse W. Markham and Robert D. Buzzell, to review the same evidence collected by the FTC. Not surprisingly, they concluded that games "had no measurable effect upon costs, margins, prices or market shares in any of the markets analyzed." However, no mention was made about rigging, or the FTC finding that consumers were offered fewer food "specials" while the games were in progress.

We shall probably continue to be stuck with "Wiki Wiki Dollars," or similar offerings, though not in such profusion, until industry is able to produce another seductive type of promotion. Neither the FTC regulations nor the theoretical possibility of outlawing games altogether by including them in states' lottery laws quite gets to the root of the problem. Mr. R. A. Hunter, a Gulf vice president, put his finger on it when he said that games "are really more or less persuasive forms of price competition. . . . The variety of competitive practices must be, in large part, considered inherent in our free competitive economic system. However it does seem that we sometimes carry this freedom to extremes."

LETTERS (Continued from page 354)

in connection with disturbances expected next year over Okinawa and other matters.

I would expect that some of your readers will take exception to Axelbank's suggestion that the water around Okinawa is becoming radioactively contaminated. It cannot be too strongly emphasized that the important thing for Japanese-American relations is not whether it is true that these waters have become radioactive but whether Japanese mothers and fathers believe they are contaminated. We saw this clearly last year at the time the report was circulated concerning a rise in radioactivity in Sasebo harbor. As a matter of fact, the rise in radioactivity at Sasebo was almost negligible. The knowledge did nothing, however, to dispel the poisoning that occurred in Japanese thinking about the utilization of their country as a base for American military and naval forces.

Just one small point of objection: Your author cites a survey conducted by *Komeito* (Clean Government Party), the political organ of *Sokagakkai*. I can state that the reputation among journalists of *Komeito* and its publications as a source of "hard" information is very poor.

James A. Gittings, *Far East Correspondent*
Presbyterian Life

Pol axed

New Milford, Conn.

DEAR SIR: In her review of *Portnoy's Complaint* [*The Nation*, Mar. 10], Therese Pol waxed Roth—but good. Bully for her.

Victor H. Bernstein

BOOKS & THE ARTS

The Intellectual Power Elite

AMERICAN POWER AND THE NEW MANDARINS: Historical and Political Essays. By Noam Chomsky. Pantheon Books. 404 pp. \$7.95.

ROBERT SKLAR

Mr. Sklar is the author of *F. Scott Fitzgerald: The Last Laocoön* (Oxford). He teaches at the University of Michigan.

Noam Chomsky's historical and political essays in collected form make a different impact from when they were read singly in the columns of magazines. They appeared then during moments of struggle and choice over tactics and goals in opposition to the Vietnamese War. What made them special was Chomsky's remarkable scholarly tenacity and depth, his capacity for going beneath specific political issues to unveil their underlying cultural and ideological foundations, his mastery of the social science logic and methods that government experts were trying to claim as a privileged preserve. Now, brought together, they are perhaps inevitably both more ambitious and more limited—more depressing, in their concentrated evidence of governmental and intellectual perfidy, and more exhilarating, in the clarity and unity of their focus on the task ahead. *American Power and the New Mandarins* is the first significant work of social and political thought to come out of the Vietnamese catastrophe; yet it is not so important at this moment for what it says as for the direction it points. It is the first draft of a declaration of intellectual independence, and though it deals with the past, its true significance must rest with the future.

From the time when Chomsky's first major essay, "The Responsibility of Intellectuals," made him internationally famous as a leading intellectual of the anti-war movement, the thrust of Chomsky's attacks on American power and policy was directed toward the technocrats, bureaucrats and academic manipulators of power whom he groups together under the name New Mandarins. These are the university-trained or university-based experts and scholars for whom power and ideology and methodology are inextricably bound up, so that each reinforces the others in a never-ending circle of political force, self-glorification and public deception. In this relationship, a social science methodology seeking to control and predict human behavior lends

itself to a government policy of dominating small countries and suppressing popular political movements. The prestige and power of each enhances the prestige and power of the other, and a mutually satisfactory ideology of benevolence and superiority proclaims the decency and generosity of our motives.

Chomsky almost uniquely possesses the training and qualities of mind to destroy this self-serving double myth of political benevolence and scientific omniscience. As a student in linguistics he had been trained in the social and behavioral sciences, and had spent several years trying to improve the techniques of a behaviorist linguistics before discarding them. Over the past ten years he has revolutionized the study of language by replacing a methodology stressing control and prediction of human behavior with one emphasizing human competence and creativity. [See "Chomsky's Revolution in Linguistics," *The Nation*, September 9, 1968.] His long struggle with the inadequate scientific methodologies of linguistics prepared him for his rigorous and comprehensive attack on the faulty reasoning, the faked statistics, the inaccurate predictions of our government "experts" on Vietnam—indeed, their utter failure to control and predict the behavior of the Vietnamese people.

Of course, once Chomsky has pointed it out, any of us can see how ugly and bankrupt it is for a Harvard political scientist to describe our B-52 raids, our bulldozing of villages, our creation of millions of homeless refugees in South Vietnam, as a laudable and generous policy of "urbanization." But Chomsky rightly warns us that the myth of social science expertise has hardly suffered, despite its debacle in Vietnam; at best the troubled experts have protested that the methodology is fine, but was misapplied under improper conditions in Vietnam. Even as vast a catastrophe as Vietnam will not likely shake the power and prestige of the behavioral mystique in government, the universities, or in popular beliefs.

Knowing this, Chomsky links himself at several points in these essays to the brilliant critic of American intellectuals' involvement in the First World War, Randolph Bourne. Bourne described the instrumentalist intellectuals of his own day as similarly bemused by the benevo-

lent uses of force, by the techniques of trying to make others behave as intellectuals think they should, or want them to. The task of reshaping American policy and attitudes clearly does not begin or end with the war in Vietnam, but requires understanding the cultural and intellectual history of American social science, American universities, and American public policies going back nearly a century.

In two essays in *American Power and the New Mandarins* Chomsky seeks to begin just such a critical search into the past. In "Objectivity and Liberal Scholarship" he analyzes Gabriel Jackson's *The Spanish Republic and the Civil War: 1931-1939* as a case study of the elitist biases of liberal scholarship (even, here, at its best) in ignoring, playing down, or unjustly deprecating the anarchist revolution of 1936-37 in Spain. Another essay called "The Revolutionary Pacifism of A. J. Muste: On the Backgrounds of the Pacific War" reinterprets Japanese imperialism of the 1930s in the light of Muste's unwillingness to grant the American assumption of righteousness and moral superiority over the Japanese. These are important efforts—the past belongs to the expert no more than the present or the future—but they are not as successful as Chomsky's essays on contemporary issues.

The problem with Chomsky's essay on Japanese imperialism of the thirties is his overt effort to describe Japan's foreign policy goals from the same premises and with the same terminology used by the United States in the 1960s in reference to China and Vietnam. This analogical approach may be intended to demonstrate the universal evil of imperialism, whether it is practiced by Japanese in the thirties or Americans in the sixties. But Chomsky's prose style is rarely felicitous—a defect one does not mind in a trenchant, rational, direct political essay—and his material is chaotically organized, so that one comes away with the impression that Chomsky is defending Japanese imperialism of the 1930s, a position that even the most severe critic of American Far Eastern policy before World War II might be reluctant to take.

The essay on Spain is both more ambitious and more significant. Chomsky has done an extremely thorough job of research in the primary and secondary

literature on the Spanish Civil War, and he demonstrates most convincingly that the anarchist revolution has been slighted and misrepresented in recent scholarly work on the Spanish struggle. Here again, however, the form Chomsky has chosen diffuses the force of his interpretation. The effort to show that Gabriel Jackson is biased toward an elitist perspective seems a minor goal beside the greater implications toward which Chomsky's evidence leads—that the Spanish anarchists had begun a successful and viable social revolution both in Barcelona and the countryside, and that crushing the anarchists was far more important, alike to the Republic, the Communists and the Western powers, than defeating Franco's rebels. Chomsky's essay is fascinating, but in arguing on Jackson's ground he makes only a negative case; the anarchists do not receive the full, detailed, interpretative treatment—even in outline—we need to grasp the meaning of their revolution.

One can perhaps see more clearly the nature of Chomsky's ambitions and his limits. He is not merely analyzing and criticizing the New Mandarin intellectuals who create American policies and misuse American power. Both explicitly and by implication he has sketched what is needed. First, to understand the failures and false claims of American social science methodology in all its institutional and political contexts, stretching back to the 19th century, and in so understanding, to overcome its power. Second, to revise our historical belief in American benevolence and righteousness toward the world, and to replace it with a more realistic assessment of America's powerful and coercive ambitions. Third, to end the elitist historians' blackout on the power and success of popular political movements in the world and especially to re-explore the anarchist challenge to the technocratic-bureaucratic mentality both of the Bolsheviks and Western capitalist countries. And finally, to build in America a philosophy of social and political power based upon human competence and self-determination.

This is an enormous agenda for thought and action. It will take more than one book and more than one mind to carry it through. The importance of *American Power and the New Mandarins* lies in its power to free our minds from old perspectives, to stimulate new efforts at historical, political and social thought. It is a long road from one book of essays to new ideas, new institutions, a new attitude toward human life; but few other books on American politics and society have given such promise of starting us on the way.

Book Marks: Trips to Hanoi

LEE LOCKWOOD

Mr. Lockwood is a photographer and writer who has visited and reported from Hanoi, and from Cuba. He is the author of Castro's Cuba, Cuba's Fidel (Macmillan). Of the group of books reviewed below, Father Berrigan's trip to Hanoi was reported in The Nation by his companion, Howard Zinn ("The Petty Route Home," April 1, 1968) and in a brief review of Night Flight to Hanoi (Book Marks, November 18, 1968).

Now that we've finally stopped bombing the North, and "our side" and "the other side" are sitting around a sideless table in Paris, presumably discussing peace, this batch of books by Americans who have visited North Vietnam may not find the audience they might have had, say, nine months ago. That would be a shame. At least three are eminently worth reading; all have something to offer. Moreover, we had better get used to the idea that Vietnam is going to be with us for a long time to come.

All of the authors were invited by the Vietnamese and were limited by their hosts as to where they went and what they saw; this is natural—there is a war on. Reading their books, one finds in each the same hotels, the same ruins, the same bomb victims, government spokesmen, etc. (four of the authors spoke with, and were embraced by, Premier Pham Van Dong; only two were lucky enough to see Ho). What results is an eerie *Rashomon* quality: five books telling the same story, each through a separate distortion. Question: is there a literate human being left in this world capable of visiting North Vietnam and remaining "objective"? Answer: you can't *not* have a bias about Vietnam. No one is above this particular battle.

For most of the few dozen Americans who have been privileged to tour the bomb depository of the Seventh Fleet, the experience has been one of trauma, shame, cultural dislocation and, in some cases, personal discovery. It may be that we Americans have reached a point where all the necessary facts about North Vietnam are already known, that what we need now are feelings and ideas.

This could easily explain why to me the most satisfying of these five books are precisely those that are the least journalistic and the most *subjective*, whose authors succeed in making Vietnam personally relevant, those who communicate most vividly not what we have done to Vietnam but what Vietnam has done to them.

NORTH VIETNAM: A DOCUMENTARY. By John Gerassi. With an in-

roduction by Conor Cruise O'Brien. The Bobbs-Merrill Co. 200 pp. \$5. Paper \$2.25.

John Gerassi, former establishment journalist (*New York Times*, *Time*, *Newsweek*) turned professional revolutionary, arrived in Hanoi a week after Harrison Salisbury (January, 1967) and stayed only two weeks. He calls his book "*A Documentary*," and it is: more than half the text consists of "documents" issued by various branches of the Hanoi government on the effects of the U.S. bombardment. Instead of being appended to the back of the book, they are larded into every chapter, with unfortunate results. Even the most sympathetic reader who is willing to grant their factuality must wince at being forced to read for the fourth or fifth time phrases like: "The aggressive and bellicose features of the U.S. Government are further laid bare by the following arrogant action": the words may be useful as propaganda but they are unreadable as literature. Conor Cruise O'Brien, in his thoughtful introduction, makes the point that since we Americans have heard nothing but Pentagon and State Department propaganda, we ought also to study that of the DRV and the NLF. Assuming our willingness to be propagandized, may we not still demand that the author make the propaganda readable?

The remainder consists of descriptions of what Gerassi saw himself, and interviews which he held with bomb victims. Some of the latter are immensely moving, for here the agonized human voice speaks out of its suffering, directly, unencumbered by political rhetoric. The descriptions of and statements by some CBU (pellet-bomb) victims are especially memorable, indeed impossible to forget; they remind us all too clearly that those are real people down there that we've been wounding and killing. Gerassi's book appears to be a little changed edition of his report to the Bertrand Russell War Crimes Tribunal, on whose behalf he went to Vietnam. As a report it seems adequate; however, he could have served his own cause better by writing a better book.

MISSION TO HANOI. By Harry S. Ashmore and William C. Baggs. G. P. Putnam's Sons. 369 pp. \$6.95.

This book is about diplomacy, or "demi-diplomacy" as the authors call it, and unlike the others tells us more about Washington than Hanoi. William Baggs (who has since died) and Harry Ash-

more, two distinguished newspaper men then connected with the Center for the Study of Democratic Institutions in Santa Barbara, responded to an invitation from Ho Chi Minh. The Center sent them to Hanoi in early January, 1967, a moment when the North Vietnamese were especially ready to discuss peace talks. Their mission: to break through the diplomacy barrier and, through informal conversations, to clarify Hanoi's conditions for such talks, then to serve as a "demi-diplomatic" channel of communications between LBJ and HCM. Is it surprising to find out from Baggs-Ashmore that the real communications bottleneck was in Washington, not Hanoi?

After being briefed by the State Department, the authors flew to Hanoi, where they spent nine days and had a rare two-hour private talk with Uncle Ho. He offered the following observations: (1) cessation of the U.S. bombing of the North was the only precondition to peace talks; (2) the Four Points were negotiable items, not demands; (3) North Vietnamese legations around the world were prepared to arrange official contacts between Hanoi and Washington immediately.

Feeling that they had achieved an important breakthrough, Baggs-Ashmore sped back to Washington. From there on, as they say, it was all downhill. What follows is the gloomy chronicle of their frustrations at being used and abused by the State Department and the White House in the months that followed. The State Department de-briefed them, but Dean Rusk wouldn't see them (he passed them in the corridor one day without a word). As for President Johnson: "I'd like to see them, Bill," he told Senator Fulbright, "but you know I can't talk with everybody who's been over there talking with Ho Chi Minh." (Up to that moment, of course, Baggs and Ashmore were "everybody.")

Suddenly, State decided to use them. Together with William Bundy, they drafted a conciliatory letter to Ho expressing interest and requesting further conversations. Now the double-cross: the letter was sent, but before it arrived Ho received a second, much tougher, letter from Johnson himself demanding new preconditions for talks, in language that guaranteed refusal. Ho's reaction was predictably irate, and thus came to an abrupt end the best chance for peace to date.

Shortly after this, Baggs-Ashmore were stunned to learn that Bundy had probably worked on *both* letters at the same time. As the book, *The Secret Search for Peace in Vietnam*, and others have revealed, this was but one in a long series of fraudulent moments in our government's sordid diplomacy with North

A MESSAGE FROM RABBI NACHMAN

*The extra-human
Swarms with disciples.
Like worms
Tumbling out of the Book of Creation,
The Book of Splendor.
Each with a light
In his head.
But smeared with
The contemplation of ecstasy.*

*Kabbala—
A transmission
From mouth to ear.
The words of my friend
Steady my world
Even as I say them.*

*There are stones—
How else will the house
Be built—
Like souls
That are flung down
In the streets.*

HARVEY SHAPIRO

Vietnam. The sad fact is that when the United States stopped the bombing, and talks finally began (fifteen months and thousands of lives later), Hanoi's position was exactly the same as what Ho had told Baggs and Ashmore. The only new element was the Tet offensive.

Incredibly, a year later Baggs and Ashmore were back in Hanoi, again on behalf of the State Department, with almost equally disastrous results. Apart from its saga of demi- (or dummy-) diplomacy, the book contains good journalistic descriptions of what little the authors saw of North Vietnam on their two visits and some vivid portraits: Ho Chi Minh, lively and alert at 78, chain-smoking American cigarettes (brought in by the Vietcong from U.S. bases in the South?), complaining that he can't break the habit, and tersely telling his visitors: "You are Americans, and so I assume you are businessmen. Well, I am a businessman too, and I want to see the goods before the price is established. When the bombing stops, we can talk."

And of Senator Fulbright, rankled and melancholy, delivering a coruscating indictment of Foggy Bottom: "I've been up against these fellows, one way or another, for the past twenty-six years, and the one lesson I have learned is that you can't trust them. . . . We talk about the Russians acting on the principle that the end justifies the means, but let me tell you that you have just been in the ultimate citadel of that policy. These

State Department people figure they're entitled to use you, in any way they see fit, to further what they call the national interest, but the national interest is whatever they decide it is and can sell the President."

NIGHT FLIGHT TO HANOI. By Daniel Berrigan. The Macmillan Co. 140 pp. \$4.95.

There seems little doubt that the Vietnamese War will eventually be counted as a transcendent event in American history, not for its military importance but for the galvanizing moral effect it has had on the American conscience. All five books give clear evidence of this. In Father Daniel Berrigan's case, it is the radicalization of the American priesthood that is mirrored. Berrigan, a Jesuit poet-priest now in jail for destroying draft-card records in Baltimore, also went on a mission (together with Howard Zinn), to arrange for the release of three American fliers by the Vietnamese and bring them home via nonmilitary transportation (at Hanoi's request). Like Baggs and Ashmore, Berrigan and Zinn were abused and ultimately double-crossed by Washington. But that is not the main burden of this book.

All true poets are revolutionaries at heart, which may explain both why Ho Chi Minh wrote poems in prison and why Berrigan's book, more than any other, succeeds in conveying a sense of genuine and intensely felt experience. In

addition to the eleven poems it contains, the narrative itself is an extended metaphor of prison and flight. It begins, appropriately, at the Pentagon, where Berrigan protests the bombing and is thrown into jail. Berrigan is essentially a metaphysical poet. Noting that the act of protest "helped us see how the battle line extends bodily across our own lives," he views his sojourn in prison as being essential to his own personal spiritual liberation. Later, released and en route by air to Hanoi, he expands the paradox in a questioning meditation: Are they really going to liberate American prisoners? What if the fliers have also become "free men" in prison? Will they not then be returning to a society whose very citizens are all "prisoners of war," locked in dungeons of illusion? *Night Flight to Hanoi* is also a flight from America.

Hanoi proves a mystery difficult to unlock: "How is one to convey the atmosphere of a city rendered alien as another star by the mythology of our words, by distance, by bombs?" Berrigan is also troubled by the "strange mixture of naïveté and human confidence" he finds in his hosts and by their oriental formality, difficult to pierce. Above all, he is overwhelmed with the enormity of maiming and death that have been caused by the bombing. But it is a lesson that must be learned. Lagging behind his group at a medical museum, being shown pickled organs and viscera dissected to reveal the paths of pellet bombs, Berrigan is summoned by the lecturing doctor and meekly goes forward, stomach churning, "to have my face and my eyes rubbed in the fact and the smell of death, like the others."

Later, riding out of Hanoi with the three released fliers, he searches their faces for evidence that their incarceration has forced a similar confrontation with the death which they had professionally been dealing, but finds none. They have been brainwashed, says Berrigan, not by the Vietnamese but by the Americans. And he concludes: "What sort of proximity to actual war is required, if men are to become thoughtful and critical about their actions? We have had years of this war, clogging our television tubes and our heads with horror. In a true sense we are closer to the war than the airmen who are pursuing it with such savage vigor at the scene of conflict itself. And yet one could hardly claim that the eyes of men have wept for the victims because of what those eyes have seen. Indeed an opposite claim might be made; that one televised war has prepared our souls for all kinds of future horrors." A mordant perception, but one that should give us all pause.

HANOI. By Mary McCarthy. Harcourt, Brace & World. 134 pp. \$2.45 paper.

If Berrigan's journey evokes the myth of Orpheus descending, Mary McCarthy's is Pilgrim's Progress, Part 2. (Part 1 was her uncompromisingly moral book on South Vietnam published a year ago demanding complete and immediate U.S. withdrawal.) Miss McCarthy is, of course, a personage, and the thought of her striding purposefully through the North with all her thoughts (and marbles) in place, rather taller than her Vietnamese guides, determinedly gathering facts and impressions as a squirrel acorns, is sympathetically amusing. Her book is the most descriptively informative of the five. It is also the most elegantly written.

Although Miss McCarthy alone has also seen the South and can make comparisons, these comments are disappointingly perfunctory (Saigon is dirty and raucous with car horns, Hanoi silent with bicycles and clean; her Hanoi hotel had hot water and bed netting, in Saigon she suffered mosquito bites and cold water). Moreover, she exhibits an unfortunate tendency to relate each new sensation experienced in North Vietnam to some childhood memory (a bomb alert in her hotel reminds her of fire drills in school; a car ride along a bomb-rutted highway recalls bumpy rides with Grandma in northern Minnesota, etc.) which, after a while, leads one to the uncomfortable suspicion that subconsciously she regards the smaller Vietnamese as charming and naive children (as when her lady interpreter, at a rest stop, inquires politely, "Would you like to make water or shit?").

Such condescension, though mistaken in its object, is well intentioned and does not detract from her marvelous vignettes of people and descriptions of Hanoi and the countryside, among the best to be found anywhere. She is most interesting when dealing analytically with her own problems of understanding and relating to North Vietnam. Being a word worker, she is painfully aware of the East-West semantics gap ("Though we talked of the same things, we did not always use the same language") and, in a passage recommended to all State Department officials on the Vietnamese task force, she produces some worth-while insights on how the Vietnamese use language and what reiterated phrases like "American war-mongers" and "hateful air pirates," with which Gerassi's book is loaded, really mean. (They are "oriental ideograms," verbal rituals bearing no more literal force than a Homeric epithet.)

The book's most authentic passage, indeed, is its most personal one. Though

she had tried to hide behind a novelist's detachment, Miss McCarthy confesses, Vietnam has finally gotten inside her and produced an "identity crisis." It begins when she is presented (as are all American guests) with an aluminum ring, fashioned from the shot-down wreckage of a U.S. warplane, and cannot bring herself to put it on. She is, after all, only an observer. Later, however, this is no longer adequate: ". . . my detachment and novelistic powers were not only inappropriate but a sort of alibi" for not actively taking sides. This leads to the realization that she had come to Vietnam for basically selfish reasons: to help get the war over with so that she can return to her life of creature comforts "with an undisturbed conscience." Now, concludes Miss McCarthy, implying (though not affirming) a more radical commitment, it is no longer enough simply to work for one's own salvation: "Nothing will ever be the same again, if only because of the awful self-recognitions, including this one, the war has enforced."

TRIP TO HANOI. By Susan Sontag. Farrar, Straus & Giroux. 91 pp. Paper \$1.45.

Like Berrigan and Mary McCarthy, Susan Sontag, novelist and essayist, belongs to the non-Communist, literary Left. She was sent to Hanoi along with two other intellectuals by Dave Dellinger, who has become a kind of booking agent for Hanoi's Peace Committee. Out of a three-week visit in April, 1968, has come what is probably the best and undoubtedly the most honest book of her career.

Trip to Hanoi is essentially an inner voyage of discovery. Miss Sontag is an intellectual; when she doesn't understand something, she suffers. "How odd to feel estranged from Vietnam here, when Vietnam has been present in my thoughts every day in America." Every American, arriving in Hanoi, experiences a sense of hallucination and cultural dislocation and deals with it in his own way: Baggs and Ashmore remember the Battle of the Bulge and other war stories; Mary McCarthy conjures up her Midwestern childhood; and Berrigan imagines himself on a distant star. Miss Sontag, to her credit, resists temptation to lean on insulating equivalents; the most significant experience for an American in Vietnam is, after all, its utter and unique strangeness. Instead of memory or imagination, Miss Sontag relies on her intellect, produces therefrom an analysis of the Vietnamese that is both enlightened and enlightening. Her struggle for understanding is interesting because one feels it is sincerely motivated; its goal is growth: "Unless I could effect in myself some change of awareness, of consciousness, it would

scarcely matter that I'd actually been to Vietnam."

Like Mary McCarthy, her initial confrontation with the apparent simplicity and the calm self-assurance of the Vietnamese character beneath the bombs makes her feel corrupt, frivolous and a bit fraudulent. Vietnam is "an ethical fairy-tale," in which it is possible to believe but with which one cannot easily make contact without first unpacking one's own intellectual and cultural baggage. Comparison with Western culture, with its materialism, its tradition of individualism, and its Freudian ethos not only provides no approach to understanding the Vietnamese; it is inhibitory. Like Miss McCarthy, Miss Sontag begins with words, finds that the Vietnamese have "a different relation to language" which renders communication critically difficult (her ideas on Vietnamese semantics are also recommended reading for the diplomatic code experts at State). But her analysis of the language and culture of Vietnam goes much deeper than Miss McCarthy's and shows more acquaintance with the ethical value scale of Confucianism which, more than Marxism, is the structural bone of North Vietnamese society.

As an American radical, Miss Sontag's search is for a way not only to

create a Vietnam in her own head (as Godard suggested in *Far From Vietnam*) but to emulate Che Guevara by finding a practical application of its lessons in order to change her own society. But though the Vietnamese War has been crucial for America, like Cuba, it offers no blueprints for would-be American revolutionaries: "Radical Americans have profited from the war in Vietnam, profited from having a clear-cut moral issue on which to mobilize discontent and expose the camouflaged contradictions in the system. Beyond private disenchantment or despair over America's betrayal of its ideals, Vietnam offered the key to a systematic criticism of America."

But all this has been accomplished by Americans on this side of the Pacific. The real value of a trip to the scene of the action, Miss Sontag concludes, is not the answers it provides but the questions it raises: "When American radicals visit North Vietnam, all things are thrown into question—their necessarily American attitudes to communism, to revolution, to patriotism, to violence, to language, to courtesy, to eros, not to mention the more general Western features of their identity." In the answers to these questions, available only at home, may lie the potential seeds of revolutionary change in our own society.

Blood in the Morning Coffee

THE CRY OF VIETNAM. By Thich Nhat Hanh. Drawings by Vo-Dinh. Unicorn Press. 57 pp. \$4. Paper \$2.

JOAN SIMON

Mrs. Simon has written for *Ramparts*, *Life* and *Commonweal*. She is the author of *Portrait of a Father* (*Atheneum*).

Perhaps this is a time when only the poet speaks with authority. Hans Magnus Enzensberger makes this observation in his introduction to the Nobel Prize-winning book of poetry, *O The Chimneys* by Nelly Sachs: "In her Stockholm refuge she experienced the genocide of the Final Solution more closely than we who lived near the death camps and her book remains the only poetic testimony that can hold its own beside the dumbfounding horror of the documentary report."

Thich Nhat Hanh (the Thich stands for his religious title and is relatively equivalent to the Dom of Benedictine monks) has already been published and widely read in this country. His *Vietnam: Lotus in a Sea of Fire* published here by Hill & Wang in 1967 has been trans-

lated into eight languages and has sold over 100,000 in a pirated edition in Vietnam. It is a tough, concise, informative prose book dealing with the history of the Vietnamese people and their political groups, and includes a kaleidoscopic view of the current war. [Reviewed in *The Nation*, July 31, 1967, by Jonathan Mirsky.]

Thich Nhat Hanh has met with intellectual, governmental and religious leaders around the world, has had an audience with the Pope, and has been placed in nomination for the Nobel Peace prize by the late Martin Luther King, Jr. He has taught Buddhism at Columbia University and studied at Princeton. In his own country, he is the founder and director of The School of Youth for Social Service and of Van Hanh Buddhist University, both in Saigon. He has worked with the student social workers and with the peasants in the fields. He has headed up a publishing house and a leading Buddhist newspaper, and has published fifteen books of his own writings.

In the time of the First World War, Rainer Maria Rilke, a very great poet of

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acute sensibility wrote in despair, "Who'll show a child just as it is?" One measure of Thich Nhat Hanh's poetry is that he does this, not from the angel's vision, which became Rilke's poetic stance, but through the love of an earthly brother. Nhat Hanh's own brothers were killed in this war. His imagery takes one by the heart; he makes real the unbearable by naming it, by feeling it, by including all as brothers in his understanding. He makes one burn with the flames our brothers have thrown, and he includes himself among us, the bewildered living for whom the devastation will never make sense.

For those who are ignorant of the ways of Buddhism, his poetry suggests the feel of the philosophy better than Western tracts on Zen. From "Here Are My Hands":

*I have returned
docile, surrendered
without rancor at this great suffering
for
under the stars
you were born,
for
thanks to you
I was born
to live ten thousand lives
with the heart of a child.*

But Thich Nhat Hanh's poetry is not in the mystic tradition of Kahlil Gibran. Though the poems are filled with small drops of rain, the smell of opening flow-

ers, the long black hair down a mother's back, the sound of an evening bell, or a flute, the stare of undisturbed stars, the delight of a child in a flare bomb, at the same time they are alive with the agonies of man-made sufferings. As an example, the first verse of "Mudra," a poem not included in this book:

*Don't listen to the poet
in his morning coffee, there is a drop
of tear*

*Don't listen to me
please don't
in my morning coffee, there is a drop
of blood*

*Do not scold me, mother,
I cannot swallow the liquids
The air in my lungs is frozen*

*He said let him weep through your eyes
because he has now no eyes
He said let him walk on your feet
because he has now no feet
And with my hands
I am touching your nightmare
he said he has been saved
he needs no more salvation
salvation is for us.*

And in a poem called "Our Green Garden" he even offers up himself:

*Here is my breast. Aim your gun at it,
brother, shoot!
Destroy me if you will
And build from my carrion whatever it
is you are dreaming of.*

*Who will be left to celebrate a victory
made of blood and fire?"*

camping with his wife; the time span is from late afternoon, through a sleepless night of meditation, and well into sunrise. These meditations are on history and process, war and the state, engagement, individuation, person, value, responsibility and community. Myth, vision, citations ranging from Aristotle through George Mallory, a picture of a Syrian dancing girl, anecdotes—these and much more pass in a phantasmagoria and finally fall into place as the plastic stuff of awareness. Notions are not developed deductively in the orderly chains so dear to professional philosophy but are comprehended by and unified through an intuitive reach of the mind. Rexroth's triumph is that from the century's conflict of beliefs he has been able to create and celebrate his own syncretist universe of value. Syncretism is his remedy to make a fragmented society whole. However, syncretism must not be confused with eclecticism: the first desires to build a large unity from a unified position, the later tries to unify with shards.

The structure of "The Dragon and the Unicorn" is the same: confrontation by alternating lyric and meditation. But the physical setting of this later poem, a travel tour of Europe, is less static and, probably, less enduring. Although the themes are the same, the details of handling are quite different. Generally, too, the tone is lighter, wittier, even permitting jokes:

*Switzerland is the world's worst
Country—Kansas stood on end.*

and even provides an itinerary of good eating places in Europe.

In turning from Rexroth to Theodore Weiss we move from a body of work that is significant primarily for extra-poetic reasons to a book whose scope is essentially of the muses. Weiss's work first became impressive with the yeoman work of *Gunsight* in 1962, but *The Last Day and the First* puts him in the forefront of contemporary American poetry.

I wish to say something, against accepted opinion, about Mr. Weiss, but feel I must prepare the ground with a few words about the self-styled *avant-garde*. To begin with, I disbelieve in it. Besides its repugnant military metaphor, the term embodies a belief in progress in the arts that simply goes against all the evidence. Obviously, its thesis of a forward-looking band of foragers who protect the relatively traditional main column presupposes a main column. Can Richard Wilbur and half a dozen others be said to compose a main column? The fact is that the main column and even the academy is *avant-garde*. It marches nowhere; it looks backward to the twenties and even earlier for its attitudes

The Hazards of Art

THE COLLECTED LONGER POEMS OF KENNETH REXROTH. *New Directions*. 307 pp. \$7.50.

THE LAST DAY AND THE FIRST. By Theodore Weiss. *The Macmillan Co.* 110 pp. \$4.95.

ROBERT STOCK

Mr. Stock is the author of a book of poems, *Covenants (Trident)*.

These two volumes drive home the idea of risk involved in poetry and all art. In Rexroth the risk the reader takes is that he will be argued into a transvaluation of his personal values to revolutionary ends; in Weiss the risk is that he will be persuaded to the same ends. One road is philosophical, the other aesthetic; together they testify to the anarchic nature of poetry. Yet, these poets can reverse their typical roles, too—and then watch out! When, after a knotty meditation on symbiotic cosmology, Rexroth's wife rides up on a red stallion, her breasts aquiver, you are in danger of falling into

a more elemental world than that of the printed page; and when Weiss's Caliban hurls Prospero's magic book back into the sea, you are in sudden danger of knowing what you want. Words such as *peripeteia* cannot disguise the transformations lurking in such moments.

What is most viable in the so-called New Left is in large part the creation of Rexroth and Paul Goodman, whether the movement knows it or not. Young radicals might well go to this new collection of Rexroth's poems for the rediscovery and definition of their motives.

Five long philosophical poems and two short meditations comprise the book. Solidly in the tradition of the long philosophical poem, "The Phoenix and the Tortoise" is closer to Wordsworth's "Prelude" than to Lucretius or Bridge's "Testament of Beauty," especially in its confrontation of personal and imagist lyric with unabashedly didactic philosophical statement. The setting is between mountains and sea where the poet is

and techniques. I understand that they have quite recently discovered Rimbaud. In another fifteen years, if they persist, they will have come abreast of e.e. cummings.

For the sake of an argument, I would like to use the word after redefining it: The *avant-garde* is made up of artists, usually one or two in a generation, who by experiment produce new techniques which may or may not be of use to future artists. Examples: Robert Bridges no less than Hopkins, Pound, Auden, Roethke.

My contention is that at the moment we have two *avant-garde* poets, John Berryman and Theodore Weiss. Weiss's radical experimentalism is not seen in all the poems of this volume; but it is all-pervasive in the longest and most imposing of them, "Caliban Remembers," and sporadic in the others. Young experiments are difficult to pin down, but this one involves meter, diction, syntax and patterns of repetition. Here are the first lines of "Caliban Remembers:"

*Might
have gone with them. Might. To be—
I heard their scheming—a strange fish,
stranded on land, lurching in shadows,
a monster they, tormenting, make.
No one for me. Not my master's kind,
with perfumes stinking, augs at courting.
Nor to me true friends those two
I fell in with.*

*Oh fell in with,
a horse-pond for our pains, and over
ears, scum sticking to, thick scum.*

These rhythms, loosely based on iambic tetrameter, are strongly marked with stresses reminiscent of sprung verse, but they are not the same. For one thing, they have a broad rather than a local syntactic function, so that they spread out over large areas of the poem.

"Caliban Remembers" is surely among the finest poems of the decade. Between it and Shakespeare, Browning's "Caliban Upon Setebos" intervenes. In Browning, Caliban creates his god, Setebos, in his own gross image, half out of mud and slime and efts; whereas Weiss humanizes him and sharpens the problem of identity by presenting him as re-creating himself in Prospero's image. The paradox is that Prospero had attempted to turn the monster into his own image and almost succeeds precisely because he is absent. But, in the sentiment of his fancy, Caliban does bring Prospero back, and sees himself in fantasy as master. Weiss's psychological probing is poignant and penetrating: like Warren, he reclaims for the poem certain domains that have for long been considered the property of the novel. Caliban's spiritual growth, implied by his rejection of Prospero's book, is wholly credible: the monster has become a man capable of loving while maintain-

ing his identity. The poem concludes on a dilemma, however, for even man relapses:

*How I long
to hear once more those me-completing
voices. Come back, would cast me
at their feet. And yet . . . alone, alone
as he must be, loathing, pitying, loving.*

This finely achieved balance, so vulnerable, will teeter forever. In this sense, the poem never ends.

The same vulnerable balance controls the other work, too. In the title poem, the apocalyptic possibility (the bomb) is balanced against creation (early spring). Not that he mythologizes experience. In *The Last Day and the First*, his eschatology is firmly grounded in a Jehovah Witnesses mother and daughter. Caliban is also a study in demythologizing, at one level, which is the purpose of the elaborate series of references to Browning's Caliban.

The salient themes rebound from poem to poem. In "The Eighth Day" he again picks up the creation theme, this time demythologizing Genesis. And again Browning's poem is alluded to in the structural use of *His* and *his*. "The Eighth Day," from the long, beautifully modulated question of the beginning to the obliquely abrupt conclusion, is a high achievement of experimental verse.

If compassionate aliveness to the life of men and words can move readers to delight and depth of feeling, his translations of Pasternak (certainly the best we have) should be read and reread, as should the poems "A Letter from the Pygmies," "Robes of the Gods," "Far Out, Far In," "A Midsummer Nightmare," and the dramatic monologue "Wunsch-Zettel." This book is an event. The poems are not fashionable—the *avant-garde* never is—but fashions are likely to coalesce around them.

THEATRE

HAROLD CLURMAN

At no time since the Vivian Beaumont Theater opened have I been so absorbed by a play presented there as I was by Heinar Kipphardt's *In the Matter of J. Robert Oppenheimer*. There is a lesson in this, for it need hardly be said that the new play does not in any respect rank with *Danton's Death*, *Blood Wedding*, *Cyrano de Bergerac*, *Galileo*, *Tiger at the Gates* or *King Lear*!

To begin with the least salient aspect of the event: the use of the stage. None of the previous plays was so designed as to "sit" comfortably in the house.

The productions were generally pushed down to the forestage, almost literally squeezed, which was no fit treatment for them. Essential decor was frequently removed to the background where it was invisible to a good part of the audience. Peter Wexler's handsomely simple setting for *Oppenheimer* is in full view of everyone at all times.

The acting—the particulars of which I shall go into later—is the best that we have thus far been offered at the Repertory Theater of Lincoln Center. Gordon Davidson's handling of the script and of his actors—fashioning telling individual characterizations within the framework of a factual style—is another exceptional achievement at this establishment.

Most important of all is the relevance of the play's content to the audience. I do not mean to suggest that Kipphardt's writing, which is mainly an arrangement of material provided by existing documents, is necessarily more meaningful to us than that of *King Lear* or the others; but even a masterpiece, when it fails to be directed and acted with adequate craft and artistic insight, loses most of its force in the theatre.

As its title indicates, *In the Matter of J. Robert Oppenheimer* is a presentation of the main line of argument at the 1954 hearings before the Personnel Security Board of the Atomic Energy Commission in Washington, D.C. The purpose of those hearings—convened at the time of the McCarthy terror and fed on its fire—was to determine whether Oppenheimer, "father of the atom bomb," was a possible "security risk."

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Most of the play's dialogue is a direct transcription—greatly reduced, of course—from those hearings.

Heinar Kipphardt's basic theme is the relation of the scientist to the political, ideological, social context in which he functions and the corollary concern with the degree of freedom the scientist as a person may be allowed in regard to the ultimate use of his discoveries. The play's dramatic method is related to, though not identical with, both Peter Weiss's *The Investigation* and Rolf Hochhuth's "theatre of fact," though each of these is different from the other. Such plays are intended to make the audience think seriously about pressing contemporary issues.

Most great dramatists have had similar objectives, but most of them made "poems" of their plays—works of art, sublimations of fact which might transcend their specific instances. Kipphardt, as most of the others who tend in a similar direction, is not especially interested in that process of assimilation. They seek immediate results, they desire responses which will so stir conscience as to lead to prompt and practical action. In my view, the "poets" produce more enduring effects, induce profounder changes of heart. Still my intention is not to rule against theatrical journalism but to define the exact nature of what is being attempted and what to expect from a play like *Oppenheimer*. The theatre is as much forum as festivity.

Kipphardt's play is not heavy-handed in its bias; it cannot be dismissed as "propaganda." One may come away from it—though this is unlikely—siding with those who refused to countenance Oppenheimer's scruples, and voted to exclude him from further participation in the government's activities in nuclear experiment as they pertained to warfare.

The play achieves its aims. It is thoroughly arresting as theatre: one's rapt attention never flags. Though it may fail to be deeply moving, the play excites thought. And that is more pleasurable to attend than great plays in productions whose only effect is to flatter with the notion that viewing them as a cultural "rite" (rather than as a living experience) is somehow ennobling.

Joseph Wiseman's Oppenheimer begins in the planned vein of Davidson's production scheme—factual but vivid characterization subdued to the tone of courtroom report. Oppenheimer is less "colorful" than some of the witnesses: he is reticent, customarily soft spoken, a trifle abstracted. The drawing of his portrait is linear: his movement is angular, his gestures stiff. He stoops slightly, in a manner to suggest reflectiveness and, at the same time, a readiness to pounce on any breach of logic

or decency. In the presence of vulgarity, cruelty or lack of dignity he either flares with indignation or contracts with hurt, subsiding into pained silence. He is ordinarily companionably straightforward, with occasional glints of humor. There is some tension within him but he is never flamboyant.

Then, as the play moves to its close, the inner man discloses himself. Wiseman begins to show the man's soul troubled with self-doubt, the perturbation caused by a problem which even his keen mind finds almost insoluble—and, if solved as his spirit dictates, may well alienate him from the majority of his fellow men with whom he nevertheless desires the closest ties. It is here that Wiseman has his finest moments and reveals what is in him; that which is called the actor's "personality" in the truest sense.

In the opening scenes, Wiseman pointed his characterization a bit too much (this may have been due to first-night nerves), making him seem a trifle mannered. But as he progressed one forgot his "acting" and perceived in him a sort of mystic trance as if he were lost in the contemplation of something beyond the difficulty of his momentary situation. This quality is at the core of Wiseman's being and of the Oppenheimer he creates. It is not an ordinary being; it is not even an easy or a "natural" one. It made me think of a saying ascribed to Francis Bacon: "There is no excellent beauty which hath not some strangeness in the proportion."

Herbert Berghof as Edward Teller is also very fine: he is compact with conviction, tense but controlled, measuring his words through a sense that he may give offense to a man he admires and to a body of opinion which, though he holds it in some awe, he must still reject without equivocation.

Stefan Schnabel as the physicist Hans Bethe is genial in the mid-European fashion of kindly jocularly which in no way conceals intellectual decisiveness. Eduard Franz as the member of the Security Board who votes in Oppenheimer's favor is the bland, old-fashioned American liberal in whom a persistently moral nature and humorous intelligence dwell without strain. Stephen Elliot plays a lawyer and former security officer with friendly but sharp verve. Tony van Bridge as still another physicist is bluff, hearty and most engagingly pugnacious.

All these (they have the most grateful roles) and such others as Charles Cioffi as an obtuse security officer, and Ronald Weyand as a technical adviser to the Air Force, honed by its prejudices, fill Davidson's well-calculated outlines with nice pigments of their own.

ART

LAWRENCE ALLOWAY

It is a curious fact of the New York art world that artists in their 30s don't mind having retrospectives (Rauschenberg and Johns, for instance, at the Jewish Museum), but older artists are very sensitive about it. Exhibitions of artists in the 1903-13 age group, that is to say the men usually called "Abstract Expressionists," are subject to endless qualification. Museum shows of these artists, no matter how extensive, have to be presented as tentative and partial samples of the iceberg, to protect the artist from feelings of completion and exhaustion. The de Kooning exhibition at the Museum of Modern Art lists 147 items in the catalogue and covers thirty years, but there is the standard warning not to take all this as a retrospective. It is, to quote the catalogue, just "a look at the artist in mid-career." Is "mid-career" honestly the right term for an artist who will be 65 next month?

De Kooning's presence at the Modern, whether one regards the show as a retrospective (which is my inclination) or a glimpse, is the welcome realization of a lengthy project. New York museums have been overusing guest directors for their exhibitions, inviting outside people to arrange shows well within the capacity of their curatorial staffs. However, inviting Thomas B. Hess, editor of *Art News*, to do the de Kooning show was absolutely correct; he not only knows more about the artist than anybody else; he is the only person likely to have persuaded the artist to go through with a big museum show (the Modern had been trying for years). Mr. Hess's modesty in the acknowledgements and introduction to his catalogue should not deceive anybody as to the centrality of his role.

The catalogue is rich in information about the artist, his work, his life style, his milieu. In a text that has space for the artist's relation with his dealers, however, I miss any discussion of de Kooning's immense influence on young artists in the 1950s. This was either a power play on his part, or a toleration of the role of king when it was pressed on him; whichever it was it calls for discussion. The other lacuna is that Mr. Hess is less precise about the flattening of de Kooning's forms in the late fifties and early sixties than on any other matters pertaining to the man he regards as "the most important painter at work in the middle of our century."

My experience of the show was very different from my expectation. De Kooning's paintings and drawings, seen

in different places, a few at a time, over years, had left me with an image of a painter who possessed a wide range for handling several subjects. Seeing all the work together has the effect of reducing somewhat the gritty particularity of individual paintings and periods. When the paintings are gathered only footsteps apart, not even the confused hanging that is normal at the Modern can blot out an emergent unity. The correspondences that become visible seem more binding than the differences between various periods, though Mr. Hess lists fifteen from 1934 to 1965: equivalences grow between black-and-white paintings and the ones in color, between the images of women and the abstractions. Early and late works become symbiotic instead of antagonistic siblings.

Consider the famous paintings of "Women," 1950-54. I remembered them as plastically solid figures heroically dominating the maelstrom of paint through which they loomed. By comparison, the women painted after 1964 seemed like Fragonard, say, compared to Rubens. In the context of thirty years of work, however, the "Women" that struck one as so violent appear now pretty much in accord with the rest of the painter's work; they are part of a rococo empire. The allover curve of the line, the scatter of color, are now seen to pulverize the central image, so that the plasticity of the Grand Manner, which once seemed brilliantly preserved, is virtually effaced. Thus the early "Women" are not so different from the soft, shallow paint ripples of the later paintings. In both periods the image is diffused into the picture surface, flattened and gesturized simultaneously. Top patterns of line and floating patches of color are constant.

Criticism of de Kooning has generally dwelt on his art as an open-ended process. To quote Hess: "Joining impossibles is a de Kooning method" and "to finish meant to settle for the possible." The artist is seen to be involved in an existentialist dilemma in which he successfully resists all those forces that reduce the complexity of life to the simplicity of a convention; that is, to art. Still, all de Kooning's revisions and abandonments do issue, ultimately, in paintings. That these bear the signs of sweat and contradiction is evident, but what does this mean in terms of the paintings? His anxiety, struggle, irresolution and abrupt conclusions converge in a style of improvised painterliness. There is no need, when speaking formally about

de Kooning, to get involved in the simplistic dialogue between critics who think that painting must be flat and those who think it need not be. We do not have to think in terms of either de Kooning or Morris Louis. It is not that de Kooning fails to paint flat enough; on the contrary, his forms are always sucked flat against the canvas, as by a powerful vacuum cleaner. His forms are monotonously stuck, squashed, multiplied, and disintegrated across the flat plane of the canvas. To change the metaphor, his flatness has an aggressive and defamatory character, as of insects glued to the windshield of a car.

De Kooning's art is glutted with potential meanings, what Hess describes as his receptivity to "all possibilities." In practice this shows in brush work that is sometimes the record of visual perception, sometimes haptic or mnemonic (as when he draws with his eyes closed), sometimes iconographic (alluding to Rubens' flesh painting or to a pin-up girl's breasts). The surface that results from these multileveled signs tends to be diffuse and disjunctive. The same level of probability is in all the paint marks and this becomes oppressive. Of course, de Kooning is not open to everything. The possibilities that get into his pictures are only the ones that he is aware of and thinking about. He is associational and permissive, which is an attitude, a structure. His art demonstrates a principle that can be compared to disjunctive syntax (poor *but* honest, this *or* that). Of a painting his critics can say: turn the landscape sideways and it's a woman; it's a woman, it's East Hampton, it's paint. De Kooning's color, except when monochromatic, has a similar interchangeability.

He is certainly right to act as if there were no universal system by which his art, or anybody else's, can be regulated. On the other hand, his refusal to accept an arbitrary form or system, however improbable, as a means by which to create art seems to have left him in the air. To be Robinson Crusoe on an island of his own creation from scratch repels him. He seems obsessed by the quest for an authentic self, but is far too sophisticated to embrace a belief that would confer a sense of authenticity on him. He is like a Nietzsche who has read Wittgenstein and had the bad fortune to believe him. Each of his paintings becomes, then, an example of complexity, a cluster of ways to go and of things that might have been, and why not? For all his vigor and wit, de Kooning's position has the effect of making his pictures, early and late, run together in a melee of suspended possibilities which, instead of celebrating freedom, perpetuates indecision.

FILMS

ROBERT HATCH

Now that films have become so explicit, this column will have to turn a little clinical. One reason for not showing sexual intercourse on the screen—a reason not mentioned in the hypocrisy vs. propriety argument—is that a man cannot attain a state of readiness for the exploit when surrounded by directors, script girls, grips, lights and cameras. This physiological limitation used to trouble me when I saw "smoker" movies during my college days, and it amuses me that several decades of the "new honesty" have made no advance against it. The spectacle of a fellow pretending to copulate under such conditions is plain depressing and should be avoided out of consideration for young men in the audience who may have anxieties in that direction.

These remarks are occasioned by the release here, after a most profitable censorship battle, of *I Am Curious (Yellow)*, and it will be resented, I foresee, by Grove Press, the American distributors. They are passing out an "appreciation" of the picture that claims it is not about sex. Well, it is not *just* about sex, as were those old "smoker" duets and ensembles; it also discusses the lack of social awareness in the public, passive resistance, the dreams of children and the failures of their fathers and the techniques of film making itself. I am aware that the scenes of overt sexual activity

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occupy only a fraction of the running time. However, a film that shows cunnilingus, fellatio, intercourse (with the aforementioned deficiency) in various positions and in settings oddly public or unusually inconvenient—above all, a picture in which the heroine is shown to be a nymphomaniac—is certain to be typed as a sex film. (Perhaps I should define nymphomania in the context of this picture: it is the plight of a girl who, however hostile her mood and however inappropriate the occasion, has only to be touched in a sensitive spot and immediately she begins to wave her legs in the air like an octopus seeking its prey.)

At 2:30 on the afternoon of the opening day (before the reviews were out) the line for *I Am Curious (Yellow)* extended out of sight down 57th Street; it was 90 per cent male and in large part single males—the sort of crowd to be found in a 42nd Street grind house, though more affluent. There is nothing except sex to draw such a crowd to this picture, and as long as such an outcry is being made about honesty, I think we should be honest on this point as well.

Aside from the eroticism, what do we have? The message of *I Am Curious (Yellow)*—there is alleged to be also a (Blue) version, not yet available—seems

to me to be that a girl who thinks that love consists of pulling down her pants is too little developed emotionally to be a reliable political activist. I have no statistics on the subject, but it sounds plausible.

Lena (Lena Nyman; most of the actors use their own names) is seen first with a portable recorder (auspices unstated), questioning passersby about Sweden's class system. As one might predict, she gets stupid answers. Soon, she is more aggressively questioning people in authority, and as one might predict is politely brushed off. About this time, she sees some news clips of Martin Luther King and begins to picket embassies and travel bureaus. And about this time also she meets up with a salesman (Börje Ahlstedt) and sets off with him on her peripatetic copulations. But like the salesman in the story, Börje is a coarse, unfaithful fellow and Lena finds that nonaggression is a stance she cannot maintain in matters genital. She tries to blow her lover's head off with a shotgun (and in a dream she castrates him), but of course succumbs when he presses her button. In the end, she apologizes to Dr. King, goes home and wrecks her roomful of files and displays on the higher ethic.

In the end, that is, of the fiction; for the picture is framed in another picture about the making of the picture. In this, the director (Vilgot Sjöman) is sleeping with the actress, whom he wants to star in a new film. At the beginning, we see them nuzzling; from time to time, we observe his increasing jealousy of Börje, and at the end Lena has transferred her affections from her director (who anyhow is working on a new chick) to her leading man.

As always, this now familiar device is said to illuminate the ambiguity between fiction and reality, and as always that is piffle. Everything is staged, everyone is acting, and the only result is to give the audience a spurious view of life on location and to add a specious mystery to a setup that is not otherwise very mysterious. And if the purpose were to impress the viewer with the fact that what happens does not "really" happen, what would be the virtue or need of that? All fiction has its own reality, and no one supposes that Hamlet dies every night of a poisoned rapier. The compulsion to erase the lines between invention and life is one of the blind alleys of contemporary art.

So in the end, *I Am Curious* is a small tale about an unhappy, disorganized, overweight and undereducated girl who doesn't know what she thinks or how to cope, but who is clear enough that she is miserable. Her name is legion and her situation is not to be scoffed at. But it is not a very memorable story; Lena is

DECEMBER

*The murk and drip
of your coal mine
are what I sink into,
Grandfather,
the sun jolted away,
clouds a roof
dark as a cave,
so many sooty wings.
The clack-clack of the wind
takes me under your hill
on its shivery rail.
Even the Swedish hymn you sang
while lurching down
in the old wooden car
drowns in the rain.
The shortest day
is but the quick glisten
of a wet pine branch
faintly traced
as prehistoric fronds
etched in the ore.
Where is the oil lamp
you wore on your forehead,
digging for life
in the dark?
Tonight
tonight
will a star blaze
from the anthracite?*

JOAN SWIFT

more legion than person. What is memorable is the raw sex. Another reviewer has said that a "full-length portrait of Lena . . . simply could not exist without these scenes," and I find the statement incomprehensible. Is Anna Karenina not a full-length portrait; is Lady Macbeth a fragment? Are one's friends enigmas because one has never watched them in bed? What is so revealing about the act itself? I oppose showing it because in fact you can't show it—before and after, yes; but not during. More than that, I oppose showing it because it is not shown in real life, and when it is displayed in a theatre it does not bring the performers nearer or make them more understandable but removes them to the isolation of bizarre accident.

No one watches such scenes from motives of enlightenment; the effect is mere prurience. And it will remain so, however common the practice becomes on the screen, as long as men and women seek privacy for their delights. You can photograph only degraded sex, because the photography degrades it. The couple in *I Am Curious* are alleged to be emancipated and adept, but anyone who thinks their shallow eroticism is good love-making is uninformed.

PERSONALS

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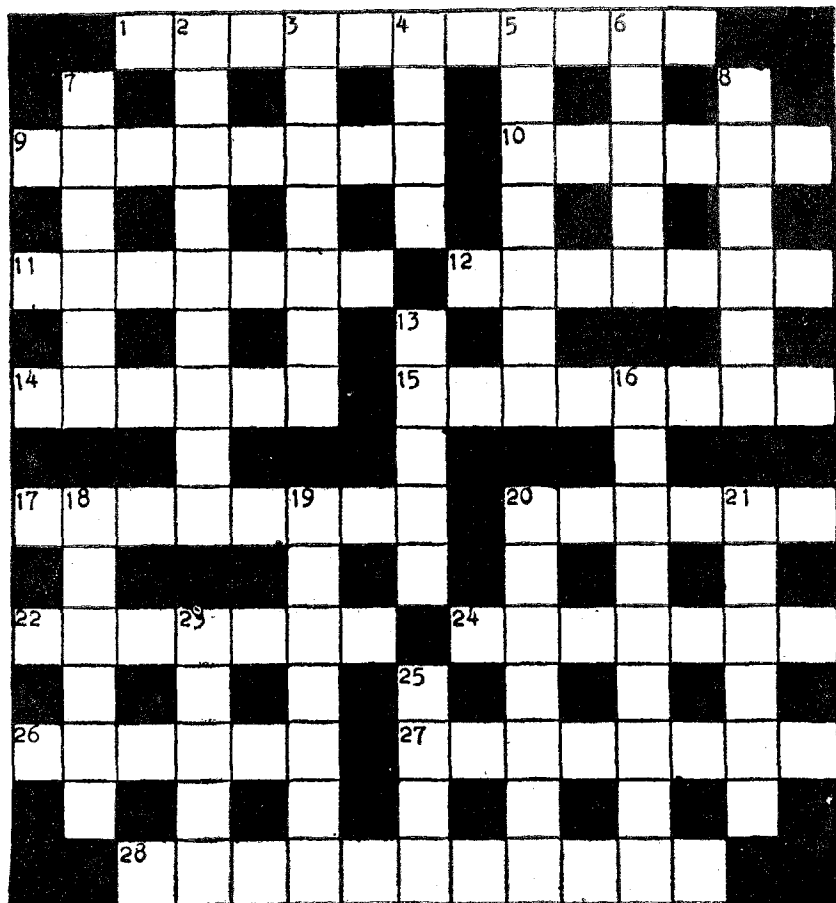
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ACROSS

- 1 How a character of "Oxbow Incident" was upset making a projection. (11)
- 9 and 10 Old song as a companion piece to "Dry Bones"? (1,4,3,6)
- 11 and 12 What the leper properly has. (7,7)
- 14 They lower the life-boats from them. (6)
- 15 Rose with 21 down. (8)
- 17 Leather has bad color, it seems. (8)
- 20 Sort of basic, when about one of a school's three indians. (6)
- 22 Comes out fighting on account of the wisecracks? (7)
- 24 Part of the liturgy is slowly changing, obviously. (7)
- 26 One might be found in a ring when 23, but one hears it is to continue stationary. (6)
- 27 1 across shouldn't get over describing such things. (8)
- 28 Perhaps prudish, but at least it sounds as though the tie isn't crooked. (6-5)

DOWN

- 2 Descriptive of Grey's 15. (9)
- 3 Outbursts that leave the spirit in tatters. (7)
- 4 How kitty might be made sweet and neat, possibly. (4)
- 5 Originally a non-believer should be moderate about one. (7)

- 6 This old coin should be easily distinguished. (5)
- 7 Teddy found it right under him, in "Arsenic and Old Lace". (6)
- 8 Confuses, as does port. (6)
- 13 Shrewd, and able to briefly state the combination. (5)
- 16 How to shed some light on what they might do to the milk supply? (9)
- 18 See 23 down
- 19 She egged her brother on to vengeance. (7)
- 20 Not a drum was heard at Sir John Moore's burial here. (7)
- 21 Supposedly not deep in the skin, especially with 25. (6)
- 23 and 18 Is it dangerous for a moth to be so like a dizzy blonde? (5-6)
- 25 Appearing with 23 on the stage notice. (4)

SOLUTION TO PUZZLE NO. 1289

ACROSS: 1 Steeplechaser; 10 Credo; 11 Guinevere; 12 Brunettes; 13 Damps; 14 Bathyspheres; 19 Tradespeople; 22 Croup; 24 Frenchman; 25 Inamorato; 26 Ovule; 27 Man of La Mancha. DOWN: 3 Exonerate; 4 Lightship; 5 Clips; 6 Amend; 7 Evermore; 8 Scabs; 9 Persist; 15 Storeroom; 16 Half-crown; 17 and 2 Stick-in-the-mud; 18 Panorama; 20 Ambush; 21 Knees; 23 Photo; 24 Flail.

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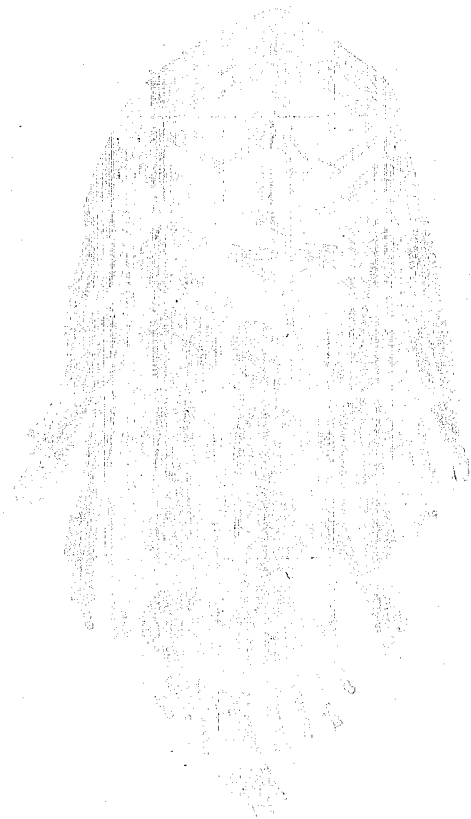
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